



# Senate

General Assembly

**File No. 133**

February Session, 2006

Substitute Senate Bill No. 328

*Senate, March 27, 2006*

The Committee on Transportation reported through SEN. CIOTTO of the 9th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

## **AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 4a-78 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 It is the policy of the state to require persons applying for a license,  
4 selling goods or services [,] or leasing real or personal property to a  
5 public agency, [or, after October 1, 2001, registering any motor vehicle  
6 with the Commissioner of Motor Vehicles] to furnish a federal Social  
7 Security account number or federal employer identification number or  
8 both, if available, to establish the identification of persons affected by  
9 the tax laws of the state and for that purpose only to treat public  
10 agencies as having an administrative responsibility for the tax laws of  
11 the state.

12 Sec. 2. Subsection (d) of section 14-36 of the 2006 supplement to the  
13 general statutes is repealed and the following is substituted in lieu  
14 thereof (*Effective from passage*):

15 (d) (1) No motor vehicle operator's license shall be issued to any  
16 applicant who is sixteen or seventeen years of age unless the applicant  
17 has held a learner's permit and has satisfied the requirements specified  
18 in this subsection. The applicant shall (A) present to the commissioner  
19 a certificate of the successful completion (i) in a public secondary  
20 school, a state vocational school or a private secondary school of a full  
21 course of study in motor vehicle operation prepared as provided in  
22 section 14-36e, as amended by this act, (ii) of training of similar nature  
23 provided by a licensed drivers' school approved by the commissioner,  
24 or (iii) of home training in accordance with subdivision (2) of this  
25 subsection, including, in each case, or by a combination of such types  
26 of training, successful completion of not less than twenty clock hours  
27 of behind-the-wheel, on-the-road instruction; (B) present to the  
28 commissioner a certificate of the successful completion of a course of  
29 not less than eight hours relative to safe driving practices, including a  
30 minimum of four hours on the nature and the medical, biological and  
31 physiological effects of alcohol and drugs and their impact on the  
32 operator of a motor vehicle, the dangers associated with the operation  
33 of a motor vehicle after the consumption of alcohol or drugs by the  
34 operator, the problems of alcohol and drug abuse and the penalties for  
35 alcohol and drug-related motor vehicle violations; and (C) pass an  
36 examination which shall include a comprehensive test as to knowledge  
37 of the laws concerning motor vehicles and the rules of the road and an  
38 on-the-road skills test as prescribed by the commissioner. At the time  
39 of application and examination for a motor vehicle operator's license,  
40 an applicant sixteen or seventeen years of age shall have held a  
41 learner's permit for not less than one hundred eighty days, except that  
42 an applicant who presents a certificate under subparagraph (A) (i) or  
43 subparagraph (A)(ii) of this subdivision shall have held a learner's  
44 permit for not less than one hundred twenty days and an applicant  
45 who is undergoing training and instruction by the handicapped driver  
46 training unit in accordance with the provisions of section 14-11b shall  
47 have held such permit for the period of time required by said unit. The  
48 Commissioner of Motor Vehicles shall approve the content of the safe  
49 driving instruction at drivers' schools, high schools and other

50 secondary schools. Such hours of instruction required by this  
51 subdivision shall be included as part of or in addition to any existing  
52 instruction programs. Any fee charged for the course required under  
53 subparagraph (B) of this subdivision shall not exceed an amount  
54 prescribed by the commissioner by regulation, adopted in accordance  
55 with chapter 54. Any applicant sixteen or seventeen years of age who,  
56 while a resident of another state, completed the course required in  
57 subparagraph (A) of this subdivision, but did not complete the safe  
58 driving course required in subparagraph (B) of this subdivision, shall  
59 complete the safe driving course, and any fee charged for the course  
60 shall not exceed an amount prescribed by the commissioner by  
61 regulation, adopted in accordance with chapter 54. The commissioner  
62 may waive any requirement in this subdivision, except for that in  
63 subparagraph (C) of this subdivision, in the case of an applicant  
64 sixteen or seventeen years of age who holds a valid motor vehicle  
65 operator's license issued by any other state, provided the  
66 commissioner is satisfied that the applicant has received training and  
67 instruction of a similar nature. (2) The commissioner may accept as  
68 evidence of sufficient training under subparagraph (A) of subdivision  
69 (1) of this subsection home training as evidenced by a written  
70 statement signed by the spouse of a married minor applicant, or by a  
71 parent, grandparent, foster parent or the legal guardian of an applicant  
72 which states that the applicant has obtained a learner's permit and has  
73 successfully completed a driving course taught by the person signing  
74 the statement, that the signer has had an operator's license for at least  
75 four years preceding the date of the statement, and that the signer has  
76 not had such license suspended by the commissioner for at least four  
77 years preceding the date of the statement or, if the applicant has no  
78 spouse, parent, grandparent, foster parent or guardian so qualified and  
79 available to give the instruction, a statement signed by the applicant's  
80 stepparent, brother, sister, uncle or aunt, by blood or marriage,  
81 provided the person signing the statement is qualified. (3) If the  
82 commissioner requires a written test of any applicant under this  
83 section, the test shall be given in English or Spanish at the option of the  
84 applicant, provided the commissioner shall require that the applicant

85 shall have sufficient understanding of English for the interpretation of  
86 traffic control signs. (4) The Commissioner of Motor Vehicles may  
87 adopt regulations, in accordance with the provisions of chapter 54, to  
88 implement the purposes of this subsection concerning the content of  
89 safe driving instruction at drivers' schools, high schools and other  
90 secondary schools.

91 Sec. 3. Subsection (b) of section 14-36e of the 2006 supplement to the  
92 general statutes is repealed and the following is substituted in lieu  
93 thereof (*Effective from passage*):

94 (b) Each local and regional board of education may provide a course  
95 of instruction in motor vehicle operation and highway safety on a  
96 secondary school level, which course (1) shall consist of not less than  
97 thirty clock hours of classroom instruction offered during or after  
98 school hours as said board of education, in its discretion, may provide,  
99 including instruction of not less than fifteen minutes concerning the  
100 responsibilities of an operator of a motor vehicle under subsection (b)  
101 of section 14-223 and the penalty for a violation of the provisions of  
102 said subsection (b), and (2) may include behind-the-wheel instruction  
103 of [not less than] up to twenty clock hours. Said course shall be open to  
104 enrollment by any person between the ages of sixteen and eighteen,  
105 inclusive, who is a resident of the town or school district or whose  
106 parent, parents or legal guardian owns property taxable in such town  
107 or school district. Any such board of education may contract for such  
108 behind-the-wheel instruction with a licensed drivers' school.

109 Sec. 4. Section 14-42 of the general statutes is repealed and the  
110 following is substituted in lieu thereof (*Effective from passage*):

111 (a) An application for an operator's license or identity card shall be  
112 made on [blanks] forms furnished by the commissioner. The  
113 [application blanks] applications shall be in such form and contain  
114 such provisions and information as the commissioner may determine.

115 (b) The application for an operator's license and the application for  
116 an identity card shall include the opportunity to complete an organ

117 donor card pursuant to sections 19a-271 to 19a-280, inclusive. An  
118 operator's license issued to a person who has completed a donor card  
119 shall have a copy of the card imprinted on the reverse side of the  
120 license.

121 Sec. 5. Subsection (a) of section 14-65i of the general statutes is  
122 repealed and the following is substituted in lieu thereof (*Effective July*  
123 *1, 2006*):

124 (a) Each motor vehicle repair shop shall prominently display a sign  
125 24 inches by 36 inches in each area of its premises where work orders  
126 are placed by customers. The sign, which shall be in boldface type,  
127 shall read as follows:

128 THIS ESTABLISHMENT IS LICENSED WITH THE  
129 STATE DEPARTMENT OF MOTOR VEHICLES.  
130 EACH CUSTOMER IS ENTITLED TO...

131 \_\_\_\_\_  
132 1. A WRITTEN ESTIMATE FOR REPAIR WORK.  
133 2. A DETAILED INVOICE OF WORK DONE AND PARTS SUPPLIED.  
134 3. RETURN OF REPLACED PARTS, PROVIDED THE REQUEST IS  
135 MADE AT THE TIME [THE VEHICLE IS RETURNED TO THE  
136 CUSTOMER] WRITTEN OR ORAL AUTHORIZATION IS PROVIDED  
137 FOR WORK TO BE PERFORMED.

138 \_\_\_\_\_  
139 NO REPAIR WORK MAY BE UNDERTAKEN ON A VEHICLE  
140 WITHOUT THE AUTHORIZATION OF THE CUSTOMER.  
141 NO CHARGES FOR REPAIR MAY BE MADE IN EXCESS OF THE  
142 WRITTEN ESTIMATE WITHOUT THE WRITTEN OR ORAL  
143 CONSENT OF THE CUSTOMER.

144 \_\_\_\_\_  
145 QUESTIONS CONCERNING THE ABOVE SHOULD BE DIRECTED  
146 TO THE MANAGER OF THIS REPAIR FACILITY.  
147 UNRESOLVED QUESTIONS REGARDING SERVICE WORK MAY BE  
148 SUBMITTED TO:

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DEPARTMENT OF MOTOR VEHICLES

151

DEALER REPAIR DIVISION

152

60 STATE STREET, WETHERSFIELD, CONNECTICUT

153

TELEPHONE:

154

HOURS OF OPERATION:

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Sec. 6. Section 14-79 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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[Any person who] The Commissioner of Motor Vehicles may, after notice and opportunity for a hearing, in accordance with the provisions of chapter 54, suspend or revoke the license or licenses of any licensee or impose a civil penalty of not more than one thousand dollars for each violation on any person or firm that violates any provision of this part. [shall, for the first offense, be fined not less than one hundred dollars nor more than two hundred fifty dollars or imprisoned for not less than ten days nor more than thirty days, or be both fined and imprisoned. For a subsequent violation, he shall be fined not less than two hundred fifty dollars nor more than five hundred dollars or imprisoned for not less than thirty days nor more than three months, or be both fined and imprisoned.]

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Sec. 7. Subsection (c) of section 10-298 of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(c) The board shall provide the Department of Motor Vehicles with the names of all individuals sixteen years of age or older who, on or after October 1, 2005, have been determined to be blind by a physician or optometrist, as provided in section 10-305. The board shall provide simultaneous written notification to any individual whose name is being transmitted by the board to said department. The board shall update the list of names provided to the Department of Motor Vehicles on a quarterly basis. The list shall also contain the address and date of birth for each individual reported, as shown on the records of the

181 board. The department shall maintain such list on a confidential basis,  
182 in accordance with the provisions of section 14-46d, as amended by  
183 this act. The board shall enter into a memorandum of understanding  
184 with the Department of Motor Vehicles to effectuate the purposes of  
185 this subsection.

186 Sec. 8. Section 14-46d of the general statutes is repealed and the  
187 following is substituted in lieu thereof (*Effective from passage*):

188 Any reports or records received or issued by the department,  
189 commissioner, board or any of its members pursuant to sections 14-46a  
190 to 14-46g, inclusive, or section 10-298, as amended by this act, for the  
191 purpose of determining whether such individual meets the health  
192 standards of motor vehicle operator licensure, shall be for the  
193 confidential use of the commissioner and the board and, except as may  
194 be required by state or federal law, shall not be made available to any  
195 person, or to any federal, state or local governmental agency and shall  
196 not be used as evidence at any trial. Such reports or records, however,  
197 may be made available to the individual who is the subject of such  
198 reports or records or to his authorized representative and may be used  
199 at proceedings conducted under chapter 54 or this chapter. Any person  
200 conducting an examination or furnishing any report or record  
201 pursuant to sections 14-46a to 14-46g, inclusive, may be compelled to  
202 testify on such reports or records at any such proceedings. A member  
203 of the board may not be compelled to testify in any other proceeding  
204 as to any facts concerning the medical condition of any person known  
205 by such member as a result of a review of such reports or records  
206 relative to such person except upon order of the court if the interests of  
207 justice so require.

208 Sec. 9. Subsection (a) of section 14-36g of the 2006 supplement to the  
209 general statutes is repealed and the following is substituted in lieu  
210 thereof (*Effective from passage*):

211 (a) Each person who holds a motor vehicle operator's license and  
212 who is sixteen or seventeen years of age shall comply with the  
213 following requirements:

214 (1) Except as provided in subsection (b) of this section, for the  
215 period of three months after the date of issuance of such license, such  
216 person shall not transport more than (A) such person's parents or legal  
217 guardian, at least one of whom holds a motor vehicle operator's  
218 license, or (B) not more than one passenger who is a driving instructor  
219 licensed by the Department of Motor Vehicles, or a person twenty  
220 years of age or older who has been licensed to operate, for at least four  
221 years preceding the time of being transported, a motor vehicle of the  
222 same class as the motor vehicle being operated and who has not had  
223 his or her motor vehicle operator's license suspended by the  
224 commissioner during such four-year period;

225 (2) Except as provided in subsection (b) of this section, for the  
226 period beginning three months after the date of issuance of such  
227 license and ending six months after the date of issuance of such license,  
228 such person shall not transport any passenger other than as permitted  
229 under subdivision (1) of this subsection and any additional member or  
230 members of such person's immediate family;

231 (3) No such person shall operate any motor vehicle for which a  
232 public passenger transportation permit is required in accordance with  
233 the provisions of section 14-44, as amended by this act, or a van pool  
234 vehicle, as defined in section 14-1, as amended by this act;

235 (4) No such person shall transport more passengers in a motor  
236 vehicle than the number of seat safety belts permanently installed in  
237 such motor vehicle;

238 (5) For a period of six months after the date of issuance of such  
239 license, no such person issued a motorcycle endorsement shall  
240 transport any passenger on a motorcycle; and

241 (6) Except as provided in subsection (b) of this section, no such  
242 person shall operate a motor vehicle on any highway, as defined in  
243 section 14-1, as amended by this act, at or after midnight until and  
244 including 5:00 a.m. of the same day unless (A) such person is traveling  
245 for his or her employment or school or religious activities, [or] (B)



246 there is a medical necessity for such travel, or (C) such person is an  
247 assigned driver in an accredited Safe Ride program.

248 Sec. 10. Section 14-44 of the 2006 supplement to the general statutes  
249 is repealed and the following is substituted in lieu thereof (*Effective*  
250 *October 1, 2006*):

251 (a) (1) No person shall operate a commercial motor vehicle used for  
252 passenger transportation on any public highway of this state until he  
253 has obtained a commercial driver's license with a passenger  
254 endorsement from the commissioner, except a nonresident who holds  
255 such license with such endorsement issued by another state. (2) No  
256 person shall operate a school bus until he has obtained a commercial  
257 driver's license with a school bus endorsement, except that a person  
258 who holds such a license without such endorsements may operate a  
259 school bus without passengers for the purpose of road testing or  
260 moving the vehicle. (3) No person shall operate a student  
261 transportation vehicle, as defined in section 14-212, as amended,  
262 activity vehicle, camp vehicle, taxicab, motor vehicle in livery service,  
263 motor bus or service bus until he has obtained an operator's license  
264 bearing an endorsement of the appropriate type from the  
265 commissioner issued in accordance with the provisions of this section  
266 and section 14-36a, as amended.

267 (b) No operator's license bearing an endorsement shall be issued or  
268 renewed in accordance with the provisions of this section or section 14-  
269 36a, as amended, until the commissioner, or his authorized  
270 representative, is satisfied that the applicant is a proper person to  
271 receive such an operator's license bearing an endorsement, holds a  
272 valid motor vehicle operator's license, or, if necessary for the class of  
273 vehicle operated, a commercial driver's license and is at least eighteen  
274 years of age. Each applicant for such a permit, an operator's license  
275 bearing an endorsement or the renewal of such a license shall furnish  
276 the commissioner, or his authorized representative, with satisfactory  
277 evidence, which may be required to be under oath, to prove that he has  
278 no criminal record, that he has not been convicted of a violation of

279 subsection (a) of section 14-227a, as amended, within five years of the  
280 date of application and that no reason exists for a refusal to grant or  
281 renew such an operator's license bearing an endorsement. Each  
282 applicant for such an operator's license bearing an endorsement shall  
283 submit with his application proof satisfactory to the commissioner that  
284 he has passed a physical examination which has been taken within  
285 ninety days prior to his application, and which is in compliance with  
286 safety regulations established from time to time by the United States  
287 Department of Transportation. Each applicant for renewal of such  
288 license shall present evidence that such applicant is in compliance with  
289 the medical qualifications established in 49 CFR 391, as amended. Each  
290 applicant for such an operator's license bearing an endorsement shall  
291 be fingerprinted before the license bearing an endorsement is issued.

292 (c) The commissioner may issue, withhold, renew, suspend, cancel  
293 or revoke, any endorsement required to operate a motor vehicle that  
294 transports passengers, as provided in subsection (c) of section 14-36a,  
295 as amended. The commissioner may, in making his decision, consider  
296 the age, accident and criminal record, moral character and physical  
297 condition of any such applicant or endorsement holder and such other  
298 matters as the commissioner may determine. The commissioner may  
299 require any such applicant or endorsement holder to furnish the  
300 statements of two or more reputable citizens, which may be required  
301 to be under oath, vouching for the good character or other  
302 qualifications of the applicant or endorsement holder.

303 (d) Upon the arrest of any person who holds an operator's license  
304 bearing a school endorsement charged with a felony or violation of  
305 section 53a-73a, the arresting officer or department, within forty-eight  
306 hours, shall cause a report of such arrest to be made to the  
307 commissioner. The report shall be made on a form approved by the  
308 commissioner containing such information as the commissioner  
309 prescribes. The commissioner may adopt regulations, in accordance  
310 with chapter 54, to implement the provisions of this subsection.

311 (e) Prior to issuing an operator's license bearing a school

312 endorsement, the commissioner shall require each applicant to submit  
313 to state and national criminal history records checks. The criminal  
314 history records checks required pursuant to this subsection shall be  
315 conducted in accordance with section 29-17a, as amended. If notice of a  
316 state criminal history record is received, the commissioner may refuse  
317 to issue an operator's license bearing such endorsement and, in such  
318 case, shall immediately notify the applicant, in writing, of such refusal.  
319 Subject to the provisions of section 46a-80, if notice of a national  
320 criminal history record is received, the commissioner may withdraw  
321 the operator's license bearing a school endorsement immediately and,  
322 in such case, shall immediately notify the holder of such license and  
323 the holder's employer, in writing, of such withdrawal.

324 (f) Any applicant who is refused an operator's license bearing an  
325 endorsement or the renewal of such a license, or whose operator's  
326 license bearing an endorsement or the renewal of such a license is  
327 withdrawn or revoked on account of a criminal record, shall be  
328 entitled to a hearing if requested in writing within twenty days. The  
329 hearing shall be conducted in accordance with the requirements of  
330 chapter 54 and the applicant may appeal from the final decision  
331 rendered therein in accordance with section 4-183.

332 (g) Notwithstanding the provisions of section 14-10, the  
333 commissioner may furnish to any board of education or to any public  
334 or private organization that is actively engaged in providing public  
335 transportation, including the transportation of school children, a report  
336 containing the names and motor vehicle operator license numbers of  
337 each person who has been issued an operator's license with one or  
338 more endorsements, authorizing such person to transport passengers  
339 in accordance with the provisions of section 14-36a, but whose license  
340 or any such endorsement has been withdrawn, suspended or revoked  
341 by the commissioner in accordance with the provisions of this section,  
342 or any other provision of this title. The report shall be issued and  
343 updated periodically in accordance with a schedule to be established  
344 by the commissioner. Such report may be transmitted or otherwise  
345 made available to authorized recipients by electronic means.

346        [(g)] (h) Violation of any provision of this section shall be an  
347        infraction.

348        Sec. 11. Section 14-276 of the general statutes is repealed and the  
349        following is substituted in lieu thereof (*Effective October 1, 2006*):

350        (a) Registered school buses while transporting school children shall  
351        be operated by holders of a valid passenger and school endorsement  
352        issued in accordance with section 14-44, as amended by this act. Such  
353        endorsement shall be held in addition to the commercial driver's  
354        license required for the operation of such motor vehicles. A person  
355        who has attained the age of seventy shall be allowed to hold a  
356        passenger and school endorsement for the purpose of operating a  
357        school bus, provided he meets the minimum physical requirements set  
358        by the Commissioner of Motor Vehicles and agrees to submit to a  
359        physical examination at least twice a year or when requested to do so  
360        by the superintendent of the school system in which he intends to  
361        operate a school bus. Any person to whom a town has awarded a  
362        contract for the transportation of school children who permits the  
363        operation of a registered school bus while transporting school children  
364        by any person who does not hold a passenger and school endorsement  
365        shall be fined not less than thirty-five dollars nor more than ninety  
366        dollars.

367        [(b)] Upon the request of any board of education or person to whom  
368        a town has awarded a contract for the transportation of school  
369        children, the Commissioner of Motor Vehicles shall furnish, on a  
370        bimonthly basis, the names of those persons whose passenger and  
371        school endorsement has been suspended or revoked in accordance  
372        with section 14-44.]

373        [(c)] (b) Violation of the provisions of this section shall be an  
374        infraction.

375        Sec. 12. Section 14-105 of the 2006 supplement to the general statutes  
376        is repealed and the following is substituted in lieu thereof (*Effective*  
377        *from passage*):

378       (a) No television screen or other device of a similar nature, except a  
379 video display unit used for instrumentation purposes or a closed video  
380 monitor for backing, provided such monitor screen is disabled blank  
381 no later than fifteen seconds after the transmission of a vehicle so  
382 equipped is shifted out of reverse, shall be installed or used in this  
383 state in any position or location in a motor vehicle where it may be  
384 visible to the driver or where it may in any other manner interfere with  
385 the safe operation and control of the vehicle. Violation of any provision  
386 of this section shall be an infraction.

387       (b) Notwithstanding the provisions of subsection (a) of this section,  
388 the driver of a commercial motor vehicle equipped with a garbage  
389 compactor, detachable container or a curbside recycling body may,  
390 when engaged in the activity of refuse collection on any public  
391 highway, use a closed video monitor for backing after such vehicle is  
392 shifted out of reverse and placed into forward motion, for such time as  
393 may be necessary to observe motor vehicles or pedestrians that may be  
394 behind such vehicle in a position that cannot be viewed using such  
395 vehicle's mirror system.

396       (c) Violation of any provision of this section shall be an infraction.

397       Sec. 13. Subsection (a) of section 14-29 of the general statutes is  
398 repealed and the following is substituted in lieu thereof (*Effective from*  
399 *passage*):

400       (a) The commissioner shall not register any motor bus, taxicab,  
401 school bus, motor vehicle in livery service, student transportation  
402 vehicle or service bus and no person may operate or cause to be  
403 operated upon any public highway any such motor vehicle until the  
404 owner or lessee thereof has procured insurance or a bond satisfactory  
405 to the commissioner, which insurance or bond shall indemnify the  
406 insured against any legal liability for personal injury, the death of any  
407 person or property damage, which injury, death or damage may result  
408 from or have been caused by the use or operation of such motor  
409 vehicle described in the contract of insurance or such bond. Such  
410 insurance or bond shall not be required from (1) a municipality which

411 the commissioner finds has maintained sufficient financial  
412 responsibility to meet legal liability for personal injury, death or  
413 damage resulting from or caused by the use or operation of a service  
414 bus owned or operated by such municipality, or (2) the owner or lessee  
415 of such class of motor vehicle who holds a certificate of public  
416 necessity and convenience from the Department of Transportation if  
417 such owner or lessee has procured from the department a certificate  
418 that the department has found that such owner or lessee is of sufficient  
419 financial responsibility to meet legal liability for personal injury, death  
420 or property damage resulting from or caused by the use or operation  
421 of such motor vehicle. The Department of Transportation may issue  
422 such certificate upon presentation of evidence of financial  
423 responsibility that is satisfactory to it.

424 Sec. 14. Section 14-253a of the general statutes is repealed and the  
425 following is substituted in lieu thereof (*Effective from passage*):

426 (a) For the purposes of this section:

427 (1) "Special license plate" means a license plate displaying the  
428 international symbol of access in a size identical to that of the letters or  
429 numerals on the plate and in a color that contrasts with the  
430 background color of the plate;

431 (2) "Removable windshield placard" means a two-sided, hanger-  
432 style placard which bears on both of its sides: (A) The international  
433 symbol of access in a height of three inches or more centered on such  
434 placard and colored white on a blue background; (B) a unique  
435 identification number; (C) a date of expiration; and (D) a statement  
436 indicating that the Connecticut Department of Motor Vehicles issued  
437 such placard;

438 (3) "Temporary removable windshield placard" means a placard  
439 that is the same as a removable windshield placard except that the  
440 international symbol of access appears on a red background.

441 (b) The Commissioner of Motor Vehicles shall accept applications

442 and renewal applications for special license plates and removable  
443 windshield placards from (1) any person who is blind, as defined in  
444 section 1-1f; (2) any person with disabilities which limit or impair the  
445 ability to walk, as defined in 23 CFR Part 1235.2; (3) any parent or  
446 guardian of any blind person or person with disabilities who is under  
447 eighteen years of age at the time of application; and (4) any  
448 organization which meets criteria established by the commissioner and  
449 which certifies to the commissioner's satisfaction that the vehicle for  
450 which a plate or placard is requested is primarily used to transport  
451 blind persons or persons with disabilities which limit or impair their  
452 ability to walk. Such applications shall be on a form prescribed by the  
453 commissioner and shall include certification of disability from a  
454 licensed physician or advanced practice registered nurse, licensed in  
455 accordance with the provisions of chapter 378, or of blindness from an  
456 ophthalmologist or an optometrist. In the case of persons with  
457 disabilities which limit or impair the ability to walk, the application  
458 shall also include certification from a licensed physician, an advanced  
459 practice registered nurse, licensed in accordance with the provisions of  
460 chapter 378, or a member of the handicapped driver training unit  
461 established pursuant to section 14-11b that the applicant meets the  
462 definition of persons with disabilities which limit or impair the ability  
463 to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said  
464 commissioner's discretion, may accept the discharge papers of a  
465 disabled veteran, as defined in section 14-254, in lieu of such  
466 certification. The commissioner may require additional certification at  
467 the time of the original application or at any time thereafter. If a person  
468 who has been requested to submit additional certification fails to do so  
469 within thirty days of the request, or if such additional certification is  
470 deemed by the commissioner to be unfavorable to the applicant, the  
471 commissioner may refuse to issue or, if already issued, suspend or  
472 revoke such special license plate or removable windshield placard. The  
473 commissioner shall not be required to issue more than one removable  
474 windshield placard per applicant. The fee for the issuance of a  
475 temporary removable windshield placard shall be five dollars. Any  
476 person whose application has been denied or whose special license

477 plate or removable windshield placard has been suspended or revoked  
478 shall be afforded an opportunity for a hearing in accordance with the  
479 provisions of chapter 54.

480 (c) Any person who is eligible to obtain a special license plate  
481 pursuant to subsection (b) of this section and who has a motor vehicle  
482 registered in his name as a passenger vehicle, passenger and  
483 commercial vehicle or motorcycle shall be issued, upon approval of the  
484 application, number plates in accordance with the provisions of  
485 subsection (a) of section 14-21b, which shall bear letters or numerals or  
486 any combination thereof followed by the international access symbol.  
487 The registration of any motor vehicle for which a special license plate  
488 is issued shall expire and be renewed as provided in section 14-22 and  
489 be subject to the fee provisions of section 14-49, as amended. Any  
490 person eligible to obtain a special license plate pursuant to this section  
491 who transfers the expired registration of a motor vehicle owned by  
492 him and replaces his number plate with a special license plate shall be  
493 exempt from payment of any fee for such transfer or replacement. Any  
494 special license plate issued pursuant to this section shall be returned to  
495 the commissioner upon the subsequent change of residence to another  
496 state or death of the person to whom such special license plate was  
497 issued.

498 (d) Any removable windshield placard issued pursuant to this  
499 section shall be displayed by hanging it from the front windshield  
500 rearview mirror of the vehicle when utilizing a parking space reserved  
501 for persons with disabilities. If there is no rearview mirror in such  
502 vehicle, the placard shall be displayed in clear view on the dashboard  
503 of such vehicle. [Upon request and payment of a fee prescribed by the  
504 commissioner, one additional placard shall be issued to applicants  
505 who do not have special license plates.]

506 (e) Vehicles displaying a special license plate or a removable  
507 windshield placard issued pursuant to this section or by authorities of  
508 other states or countries for the purpose of identifying vehicles  
509 permitted to utilize parking spaces reserved for persons with



510 disabilities which limit or impair their ability to walk or blind persons,  
511 shall be allowed to park in an area where parking is legally  
512 permissible, for an unlimited period of time without penalty,  
513 notwithstanding the period of time indicated as lawful by any (1)  
514 parking meter, or (2) sign erected and maintained in accordance with  
515 the provisions of chapter 249, provided the operator of or a passenger  
516 in such motor vehicle is a blind person or a person with disabilities. A  
517 removable windshield placard shall not be displayed on any motor  
518 vehicle when such vehicle is not being operated by or carrying as a  
519 passenger the blind person or a person with disabilities to whom the  
520 removable windshield placard was issued. Vehicles bearing a special  
521 license plate shall not utilize parking spaces reserved for persons with  
522 disabilities when such vehicles are not being operated by or carrying  
523 as a passenger the blind person or a person with disabilities to whom  
524 such special license plate was issued.

525 (f) Only those motor vehicles displaying a plate or placard issued  
526 pursuant to this section shall be authorized to park in public or private  
527 areas reserved for exclusive use by blind persons or persons with  
528 disabilities, except that any ambulance, as defined in section 19a-175,  
529 which is transporting a patient may park in such area for a period not  
530 to exceed fifteen minutes while assisting such patient. Any motor  
531 vehicle parked in violation of the provisions of this subsection for the  
532 third or subsequent time shall be subject to being towed from such  
533 designated area. Such vehicle shall be impounded until payment of  
534 any fines incurred is received. No person, firm or corporation engaged  
535 in the business of leasing or renting motor vehicles without drivers in  
536 this state may be held liable for any acts of the lessee constituting a  
537 violation of the provisions of this subsection.

538 (g) The State Traffic Commission, on any state highway, or local  
539 traffic authority, on any highway or street under its control, shall  
540 establish parking spaces in parking areas for twenty or more cars in  
541 which parking shall be prohibited to all motor vehicles except vehicles  
542 displaying a special license plate or a removable windshield placard  
543 issued pursuant to this section. Parking spaces in which parking shall

544 be prohibited to all motor vehicles except vehicles displaying such  
 545 special plate or placard shall be established in private parking areas for  
 546 two hundred or more cars according to the following schedule:

T1	Total Number	Number of Special
T2	Of Parking Lot Spaces	Parking Spaces Required
T3	0 - 200	Exempt
T4	201 - 1000	1.0%
T5	1001 - 2000	10 plus 0.8% of spaces
T6		over 1000
T7	2001 - 3000	18 plus 0.6% of spaces
T8		over 2000
T9	3001 - 4000	24 plus 0.4% of spaces
T10		over 3000
T11	4001 or more	28 plus 0.2% of spaces
T12		over 4000

547 All such spaces shall be designated as reserved for exclusive use by  
 548 handicapped persons and identified by the use of signs in accordance  
 549 with subsection (h) of this section. Such parking spaces shall be  
 550 adjacent to curb cuts or other unobstructed methods permitting  
 551 sidewalk access to a blind or handicapped person and shall be fifteen  
 552 feet wide, including three feet of cross hatch, or be parallel to a  
 553 sidewalk. The provisions of this subsection shall not apply (1) in the  
 554 event the State Building Code imposes more stringent requirements as  
 555 to the size of the private parking area in which special parking spaces  
 556 are required or as to the number of special parking spaces required or  
 557 (2) in the event a municipal ordinance imposes more stringent  
 558 requirements as to the size of existing private parking areas in which  
 559 special parking spaces are required or as to the number of special  
 560 parking spaces required.

561 (h) Parking spaces designated for the handicapped on or after  
 562 October 1, 1979, and prior to October 1, 2004, shall be as near as  
 563 possible to a building entrance or walkway and shall be fifteen feet  
 564 wide including three feet of cross hatch, or parallel to a sidewalk on a

565 public highway. On and after October 1, 2004, parking spaces for  
566 passenger motor vehicles designated for the handicapped shall be as  
567 near as possible to a building entrance or walkway and shall be fifteen  
568 feet wide including five feet of cross hatch. On and after October 1,  
569 2004, parking spaces for passenger vans designated for the  
570 handicapped shall be as near as possible to a building entrance or  
571 walkway and shall be sixteen feet wide including eight feet of cross  
572 hatch. Such spaces shall be designated by above grade signs with  
573 white lettering against a blue background and shall bear the words  
574 "handicapped parking permit required" and "violators will be fined".  
575 Such sign shall also bear the international symbol of access. When such  
576 a sign is replaced, repaired or erected it shall indicate the minimum  
577 fine for a violation of subsection (f) of this section. Such indicator may  
578 be in the form of a notice affixed to such a sign.

579 (i) Any public parking garage or terminal, as defined in the State  
580 Building Code, constructed under a building permit application filed  
581 on or after October 1, 1985, and prior to October 1, 2004, shall have  
582 nine feet six inches vertical clearance at a primary entrance and along  
583 the route to at least two parking spaces which conform with the  
584 requirements of subsection (h) of this section and which have nine feet  
585 six inches' vertical clearance unless an exemption has been granted  
586 pursuant to the provisions of subsection (b) of section 29-269. Each  
587 public parking garage or terminal, as defined in the State Building  
588 Code, constructed under a building permit application filed on or after  
589 October 1, 2004, shall have eight feet two inches' vertical clearance at a  
590 primary entrance and along the route to at least two parking spaces for  
591 passenger vans which conform with the requirements of subsection (h)  
592 of this section and which have eight feet two inches' vertical clearance  
593 unless an exemption has been granted pursuant to the provisions of  
594 subsection (b) of section 29-269.

595 (j) The commissioner may suspend or revoke any plate or placard  
596 issued pursuant to this section when, after affording the person to  
597 whom such plate or placard was issued an opportunity for a hearing in  
598 accordance with chapter 54, the commissioner or his representative

599 determines that such person has used or permitted the use of such  
600 plate or placard in a manner which violates the provisions of this  
601 section.

602 (k) Nothing in this section may be construed to allow a blind person  
603 or a person with disabilities who is a bona fide resident of the state to  
604 park in a public or private area reserved for the exclusive use of  
605 handicapped persons as provided in this section if such person does  
606 not display upon or within his vehicle a plate or placard issued  
607 pursuant to this section.

608 (l) Violation of any provision of this section shall be an infraction,  
609 provided the fine for violation of the provisions of subsection (f) of this  
610 section shall be not less than eighty-five dollars.

611 (m) The Commissioner of Motor Vehicles shall adopt regulations in  
612 accordance with the provisions of chapter 54, to carry out the  
613 provisions of this chapter and to establish a uniform system for the  
614 issuance, renewal and regulation of special license plates, removable  
615 windshield placards and temporary removable windshield placards.  
616 Such plates and placards shall be used only by persons to whom such  
617 plates and placards are issued.

618 Sec. 15. Subsection (a) of section 14-1 of the 2006 supplement to the  
619 general statutes is repealed and the following is substituted in lieu  
620 thereof (*Effective from passage*):

621 (a) Terms used in this chapter shall be construed as follows, unless  
622 another construction is clearly apparent from the language or context  
623 in which the term is used or unless the construction is inconsistent  
624 with the manifest intention of the General Assembly:

625 (1) "Activity vehicle" means a student transportation vehicle that is  
626 used to transport students in connection with school-sponsored events  
627 and activities, but is not used to transport students to and from school;

628 (2) "Agricultural tractor" means a tractor or other form of  
629 nonmuscular motive power used for transporting, hauling, plowing,

630 cultivating, planting, harvesting, reaping or other agricultural  
631 purposes on any farm or other private property, or used for the  
632 purpose of transporting, from one farm to another, agricultural  
633 implements and farm products, provided the agricultural tractor is not  
634 used on any highway for transporting a pay load or for some other  
635 commercial purpose;

636 (3) "Antique, rare or special interest motor vehicle" means a motor  
637 vehicle twenty years old or older which is being preserved because of  
638 historic interest and which is not altered or modified from the original  
639 manufacturer's specifications;

640 (4) "Apparent candle power" means an illumination equal to the  
641 normal illumination in foot candles produced by any lamp or lamps,  
642 divided by the square of the distance in feet between the lamp or  
643 lamps and the point at which the measurement is made;

644 (5) "Authorized emergency vehicle" means (A) a fire department  
645 vehicle, (B) a police vehicle, or (C) a public service company or  
646 municipal department ambulance or emergency vehicle designated or  
647 authorized for use as an authorized emergency vehicle by the  
648 commissioner;

649 (6) "Auxiliary driving lamp" means an additional lighting device on  
650 a motor vehicle used primarily to supplement the general illumination  
651 in front of a motor vehicle provided by the motor vehicle's head lamps;

652 (7) "Bulb" means a light source consisting of a glass bulb containing  
653 a filament or substance capable of being electrically maintained at  
654 incandescence;

655 (8) "Camp trailer" includes any trailer designed and used  
656 exclusively for camping or recreational purposes;

657 (9) "Camper" means any motor vehicle designed or permanently  
658 altered in such a way as to provide temporary living quarters for  
659 travel, camping or recreational purposes;

660 (10) "Combination registration" means the type of registration  
661 issued to a motor vehicle used for both private passenger and  
662 commercial purposes if such vehicle does not have a gross vehicle  
663 weight rating in excess of twelve thousand five hundred pounds;

664 (11) "Commercial driver's license" or "CDL" means a license issued  
665 to an individual in accordance with the provisions of sections 14-44a to  
666 14-44m, inclusive, which authorizes such individual to drive a  
667 commercial motor vehicle;

668 (12) "Commercial driver's license information system" or "CDLIS"  
669 means the national database of holders of commercial driver's licenses  
670 established by the Federal Motor Carrier Safety Administration  
671 pursuant to section 12007 of the Commercial Motor Vehicle Safety Act  
672 of 1986;

673 (13) "Commercial motor vehicle" means a vehicle designed or used  
674 to transport passengers or property, except a vehicle used [within one  
675 hundred fifty miles of a farm in connection with the operation of such  
676 farm] for farming purposes in accordance with 49 CFR 383.3(d), fire  
677 fighting apparatus or [other authorized emergency vehicles] an  
678 emergency vehicle, as defined in section 14-283 of the 2006 supplement  
679 to the general statutes, or a recreational vehicle in private use, which  
680 (A) has a gross vehicle weight rating of twenty-six thousand and one  
681 pounds or more, or gross combination weight rating of twenty-six  
682 thousand and one pounds or more, inclusive of a towed unit or units  
683 with a gross vehicle weight rating of more than ten thousand pounds;  
684 (B) is designed to transport sixteen or more passengers, including the  
685 driver, or is designed to transport more than ten passengers, including  
686 the driver, and is used to transport students under the age of twenty-  
687 one years to and from school; or (C) is transporting hazardous  
688 materials and is required to be placarded in accordance with 49 CFR  
689 172, Subpart F, as amended, or any quantity of a material listed as a  
690 select agent or toxin in 42 CFR Part 73.

691 (14) "Commercial registration" means the type of registration  
692 required for any motor vehicle designed or used to transport

693 merchandise, freight or persons in connection with any business  
694 enterprise, unless a more specific type of registration is authorized and  
695 issued by the commissioner for such class of vehicle;

696 (15) "Commercial trailer" means a trailer used in the conduct of a  
697 business to transport freight, materials or equipment whether or not  
698 permanently affixed to the bed of the trailer;

699 (16) "Commissioner" includes the Commissioner of Motor Vehicles  
700 and any assistant to the Commissioner of Motor Vehicles who is  
701 designated and authorized by, and who is acting for, the  
702 Commissioner of Motor Vehicles under a designation; except that the  
703 deputy commissioners of motor vehicles and the Attorney General are  
704 deemed, unless the Commissioner of Motor Vehicles otherwise  
705 provides, to be designated and authorized by, and acting for, the  
706 Commissioner of Motor Vehicles under a designation;

707 (17) "Controlled substance" has the same meaning as in section 21a-  
708 240 and the federal laws and regulations incorporated in chapter 420b;

709 (18) "Conviction" means an unvacated adjudication of guilt, or a  
710 determination that a person has violated or failed to comply with the  
711 law in a court of original jurisdiction or an authorized administrative  
712 tribunal, an unvacated forfeiture of bail or collateral deposited to  
713 secure the person's appearance in court, the payment of a fine or court  
714 cost, including payment to the Centralized Infractions Bureau in  
715 accordance with section 51-164n of the 2006 supplement to the general  
716 statutes or 51-164o, or violation of a condition of release without bail,  
717 regardless of whether or not the penalty is rebated, suspended or  
718 probated.

719 (19) "Dealer" includes any person actively engaged in buying,  
720 selling or exchanging motor vehicles or trailers who has an established  
721 place of business in this state and who may, incidental to such  
722 business, repair motor vehicles or trailers, or cause them to be repaired  
723 by persons in his or her employ;

724 (20) "Disqualification" means a withdrawal of the privilege to drive  
725 a commercial motor vehicle, which occurs as a result of (A) any  
726 suspension, revocation, or cancellation by the commissioner of the  
727 privilege to operate a motor vehicle; (B) a determination by the Federal  
728 Highway Administration, under the rules of practice for motor carrier  
729 safety contained in 49 CFR 386, as amended, that a person is no longer  
730 qualified to operate a commercial motor vehicle under the standards of  
731 49 CFR 391, as amended; or (C) the loss of qualification which follows  
732 any of the convictions or administrative actions specified in section 14-  
733 44k, as amended by this act;

734 (21) "Drive" means to drive, operate or be in physical control of a  
735 motor vehicle, including a motor vehicle being towed by another;

736 (22) "Driver" means any person who drives, operates or is in  
737 physical control of a commercial motor vehicle, or who is required to  
738 hold a commercial driver's license;

739 (23) "Driver's license" or "operator's license" means a valid  
740 Connecticut motor vehicle operator's license or a license issued by  
741 another state or foreign jurisdiction authorizing the holder thereof to  
742 operate a motor vehicle on the highways;

743 (24) "Employee" means any operator of a commercial motor vehicle,  
744 including full-time, regularly employed drivers, casual, intermittent or  
745 occasional drivers, drivers under contract and independent, owner-  
746 operator contractors, who, while in the course of operating a  
747 commercial motor vehicle, are either directly employed by, or are  
748 under contract to, an employer;

749 (25) "Employer" means any person, including the United States, a  
750 state or any political subdivision thereof, who owns or leases a  
751 commercial motor vehicle, or assigns a person to drive a commercial  
752 motor vehicle;

753 (26) "Farm implement" means a vehicle designed and adapted  
754 exclusively for agricultural, horticultural or livestock-raising



755 operations and which is not operated on a highway for transporting a  
756 pay load or for any other commercial purpose;

757 (27) "Felony" means any offense as defined in section 53a-25 and  
758 includes any offense designated as a felony under federal law;

759 (28) "Fatality" means the death of a person as a result of a motor  
760 vehicle accident;

761 (29) "Foreign jurisdiction" means any jurisdiction other than a state  
762 of the United States;

763 (30) "Fuels" means (A) all products commonly or commercially  
764 known or sold as gasoline, including casinghead and absorption or  
765 natural gasoline, regardless of their classification or uses, (B) any liquid  
766 prepared, advertised, offered for sale or sold for use, or commonly and  
767 commercially used, as a fuel in internal combustion engines, which,  
768 when subjected to distillation in accordance with the standard method  
769 of test for distillation of gasoline, naphtha, kerosene and similar  
770 petroleum products by "American Society for Testing Materials  
771 Method D-86", shows not less than ten per cent distilled (recovered)  
772 below 347 Fahrenheit (175 Centigrade) and not less than ninety-five  
773 per cent distilled (recovered) below 464 Fahrenheit (240 Centigrade);  
774 provided the term "fuels" shall not include commercial solvents or  
775 naphthas which distill, by "American Society for Testing Materials  
776 Method D-86", not more than nine per cent at 176 Fahrenheit and  
777 which have a distillation range of 150 Fahrenheit, or less, or liquefied  
778 gases which would not exist as liquids at a temperature of 60  
779 Fahrenheit and a pressure of 14.7 pounds per square inch absolute,  
780 and (C) any liquid commonly referred to as "gasohol" which is  
781 prepared, advertised, offered for sale or sold for use, or commonly and  
782 commercially used, as a fuel in internal combustion engines, consisting  
783 of a blend of gasoline and a minimum of ten per cent by volume of  
784 ethyl or methyl alcohol;

785 (31) "Garage" includes every place of business where motor vehicles  
786 are, for compensation, received for housing, storage or repair;

787 (32) "Gross vehicle weight rating" or "GVWR" means the value  
788 specified by the manufacturer as the maximum loaded weight of a  
789 single or a combination (articulated) vehicle, [ or its registered gross  
790 weight, whichever is greater.] The GVWR of a combination  
791 (articulated) vehicle commonly referred to as the "gross combination  
792 weight rating" or GCWR is the GVWR of the power unit plus the  
793 GVWR of the towed unit or units;

794 (33) "Gross weight" means the light weight of a vehicle plus the  
795 weight of any load on the vehicle, provided, in the case of a tractor-  
796 trailer unit, "gross weight" means the light weight of the tractor plus  
797 the light weight of the trailer or semitrailer plus the weight of the load  
798 on the vehicle;

799 (34) "Hazardous materials" has the same meaning as in [Section 103  
800 of the Hazardous Materials Transportation Act, 49 USC 1801 et seq.] 49  
801 CFR 383.5;

802 (35) "Head lamp" means a lighting device affixed to the front of a  
803 motor vehicle projecting a high intensity beam which lights the road in  
804 front of the vehicle so that it can proceed safely during the hours of  
805 darkness;

806 (36) "High-mileage vehicle" means a motor vehicle having the  
807 following characteristics: (A) Not less than three wheels in contact with  
808 the ground; (B) a completely enclosed seat on which the driver sits; (C)  
809 a single or two cylinder, gasoline or diesel engine or an electric-  
810 powered engine; and (D) efficient fuel consumption;

811 (37) "Highway" includes any state or other public highway, road,  
812 street, avenue, alley, driveway, parkway or place, under the control of  
813 the state or any political subdivision of the state, dedicated,  
814 appropriated or opened to public travel or other use;

815 (38) "Imminent hazard" means the existence of a condition that  
816 presents a substantial likelihood that death, serious illness, severe  
817 personal injury or a substantial endangerment to health, property, or

818 the environment may occur before the reasonably foreseeable  
819 completion date of a formal proceeding begun to lessen the risk of that  
820 death, illness, injury or endangerment;

821 (39) "Intersecting highway" includes any public highway which  
822 joins another at an angle whether or not it crosses the other;

823 (40) "Light weight" means the weight of an unloaded motor vehicle  
824 as ordinarily equipped and ready for use, exclusive of the weight of  
825 the operator of the motor vehicle;

826 (41) "Limited access highway" means a state highway so designated  
827 under the provisions of section 13b-27;

828 (42) "Local authorities" includes the board of aldermen, common  
829 council, chief of police, warden and burgesses, board of selectmen or  
830 other officials having authority for the enactment or enforcement of  
831 traffic regulations within their respective towns, cities or boroughs;

832 (43) "Maintenance vehicle" means any vehicle in use by the state or  
833 by any town, city, borough or district, any state bridge or parkway  
834 authority or any public service company, as defined in section 16-1, as  
835 amended, in the maintenance of public highways or bridges and  
836 facilities located within the limits of public highways or bridges;

837 (44) "Manufacturer" means (A) a person, whether a resident or  
838 nonresident, engaged in the business of constructing or assembling  
839 new motor vehicles of a type required to be registered by the  
840 commissioner, for operation upon any highway, except a utility trailer,  
841 which are offered for sale in this state, or (B) a person who distributes  
842 new motor vehicles to new car dealers licensed in this state;

843 (45) "Median divider" means an intervening space or physical  
844 barrier or clearly indicated dividing section separating traffic lanes  
845 provided for vehicles proceeding in opposite directions;

846 [(46) "Minibike" or "minicycle" means any two or three wheel  
847 motorcycle having one or more of the following characteristics: (A)

848 Ten inches (254 mm) or less nominal wheel rim diameter; (B) forty  
849 inches or less wheel base; (C) twenty-five inches or less seat height  
850 measured at the lowest point on the top of the seat cushion without  
851 rider; (D) a propelling engine having a piston displacement of 50 c.c. or  
852 less;]

853 [(47)] (46) "Modified antique motor vehicle" means a motor vehicle  
854 twenty years old or older which has been modified for safe road use,  
855 including, but not limited to, modifications to the drive train,  
856 suspension, braking system and safety or comfort apparatus;

857 [(48)] (47) "Motor bus" includes any motor vehicle, except a taxicab,  
858 as defined in section 13b-95, operated in whole or in part on any street  
859 or highway in a manner affording a means of transportation by  
860 indiscriminately receiving or discharging passengers, or running on a  
861 regular route or over any portion of a regular route or between fixed  
862 termini;

863 [(49)] (48) "Motor home" means a vehicular unit designed to provide  
864 living quarters and necessary amenities which are built into an integral  
865 part of, or permanently attached to, a truck or van chassis;

866 [(50)] (49) "Motorcycle" means a motor vehicle, with or without a  
867 side car, having not more than three wheels in contact with the ground  
868 and a saddle or seat on which the rider sits or a platform on which the  
869 rider stands and includes bicycles having a motor attached, except  
870 bicycles propelled by means of a helper motor as defined in section  
871 14-286, as amended by this act, but does not include a vehicle having  
872 or designed to have a completely enclosed driver's seat and a motor  
873 which is not in the enclosed area;

874 [(51)] (50) "Motor vehicle" means any vehicle propelled or drawn by  
875 any nonmuscular power, except aircraft, motor boats, road rollers,  
876 baggage trucks used about railroad stations or other mass transit  
877 facilities, electric battery-operated wheel chairs when operated by  
878 physically handicapped persons at speeds not exceeding fifteen miles  
879 per hour, golf carts operated on highways solely for the purpose of

880 crossing from one part of the golf course to another, golf cart type  
881 vehicles operated on roads or highways on the grounds of state  
882 institutions by state employees, agricultural tractors, farm implements,  
883 such vehicles as run only on rails or tracks, self-propelled snow plows,  
884 snow blowers and lawn mowers, when used for the purposes for  
885 which they were designed and operated at speeds not exceeding four  
886 miles per hour, whether or not the operator rides on or walks behind  
887 such equipment, bicycles with helper motors as defined in section 14-  
888 286, as amended by this act, special mobile equipment as defined in  
889 subsection (i) of section 14-165, as amended, mini-motorcycle, as  
890 defined in section 14-289j, as amended by this act, and any other  
891 vehicle not suitable for operation on a highway;

892 [(52)] (51) "National Driver Registry" or "NDR" means the licensing  
893 information system and database operated by the National Highway  
894 Traffic Safety Administration and established pursuant to the National  
895 Driver Registry Act of 1982, as amended;

896 [(53)] (52) "New motor vehicle" means a motor vehicle, the equitable  
897 or legal title to which has never been transferred by a manufacturer,  
898 distributor or dealer to an ultimate consumer;

899 [(54)] (53) "Nonresident" means any person whose legal residence is  
900 in a state other than Connecticut or in a foreign country;

901 [(55)] (54) "Nonresident commercial driver's license" or "nonresident  
902 CDL" means a commercial driver's license issued by a state to an  
903 individual who resides in a foreign jurisdiction;

904 [(56)] (55) "Nonskid device" means any device applied to the tires,  
905 wheels, axles or frame of a motor vehicle for the purpose of increasing  
906 the traction of the motor vehicle;

907 [(57)] (56) "Number plate" means any sign or marker furnished by  
908 the commissioner on which is displayed the registration number  
909 assigned to a motor vehicle by the commissioner;

910 [(58)] (57) "Officer" includes any constable, state marshal, inspector

911 of motor vehicles, state policeman or other official authorized to make  
912 arrests or to serve process, provided the officer is in uniform or  
913 displays the officer's badge of office in a conspicuous place when  
914 making an arrest;

915     ~~[(59)]~~ ~~(58)~~ "Operator" means any person who operates a motor  
916 vehicle or who steers or directs the course of a motor vehicle being  
917 towed by another motor vehicle and includes a driver as defined in  
918 subdivision (22) of this section;

919     ~~[(60)]~~ ~~(59)~~ "Out-of-service order" means a temporary prohibition  
920 against driving a commercial motor vehicle or any other vehicle  
921 subject to the federal motor carrier safety regulations enforced by the  
922 commissioner pursuant to the commissioner's authority under section  
923 14-8;

924     ~~[(61)]~~ ~~(60)~~ "Owner" means any person holding title to a motor  
925 vehicle, or having the legal right to register the same, including  
926 purchasers under conditional bills of sale;

927     ~~[(62)]~~ ~~(61)~~ "Parked vehicle" means a motor vehicle in a stationary  
928 position within the limits of a public highway;

929     ~~[(63)]~~ ~~(62)~~ "Passenger and commercial motor vehicle" means a motor  
930 vehicle used for private passenger and commercial purposes which is  
931 eligible for combination registration;

932     ~~[(64)]~~ ~~(63)~~ "Passenger motor vehicle" means a motor vehicle used for  
933 the private transportation of persons and their personal belongings,  
934 designed to carry occupants in comfort and safety, with a capacity of  
935 carrying not more than ten passengers including the operator thereof;

936     ~~[(65)]~~ ~~(64)~~ "Passenger registration" means the type of registration  
937 issued to a passenger motor vehicle unless a more specific type of  
938 registration is authorized and issued by the commissioner for such  
939 class of vehicle;

940     ~~[(66)]~~ ~~(65)~~ "Person" includes any individual, corporation, limited

941 liability company, association, copartnership, company, firm, business  
942 trust or other aggregation of individuals but does not include the state  
943 or any political subdivision thereof, unless the context clearly states or  
944 requires;

945 [(67)] (66) "Pick-up truck" means a motor vehicle with an enclosed  
946 forward passenger compartment and an open rearward compartment  
947 used for the transportation of property;

948 [(68)] (67) "Pneumatic tires" means tires inflated or inflatable with  
949 air;

950 [(69)] (68) "Pole trailer" means a trailer which is (A) intended for  
951 transporting long or irregularly shaped loads such as poles, logs, pipes  
952 or structural members, which loads are capable of sustaining  
953 themselves as beams between supporting connections, and (B)  
954 designed to be drawn by a motor vehicle and attached or secured  
955 directly to the motor vehicle by any means including a reach, pole or  
956 boom;

957 [(70)] (69) "Recreational vehicle" includes the camper, camp trailer  
958 and motor home classes of vehicles;

959 [(71)] (70) "Registration" includes the certificate of motor vehicle  
960 registration and the number plate or plates used in connection with  
961 such registration;

962 [(72)] (71) "Registration number" means the identifying number or  
963 letters, or both, assigned by the commissioner to a motor vehicle;

964 [(73)] (72) "Resident", for the purpose of registering motor vehicles,  
965 includes any person having a place of residence in this state, occupied  
966 by such person for more than six months in a year, or any person, firm  
967 or corporation owning or leasing a motor vehicle used or operated in  
968 intrastate business in this state, or a firm or corporation having its  
969 principal office or place of business in this state;

970 [(74)] (73) "School bus" means any school bus, as defined in section

14-275, including a commercial motor vehicle used to transport preschool, elementary school or secondary school students from home to school, from school to home, or to and from school-sponsored events, but does not include a bus used as a common carrier;

[(75)] (74) "Second" violation or "subsequent" violation means an offense committed not more than three years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision, except in the case of a violation of section 14-215, as amended, or 14-224 or subsection (a) of section 14-227a, as amended, "second" violation or "subsequent" violation means an offense committed not more than ten years after the date of an arrest which resulted in a previous conviction for a violation of the same statutory provision;

[(76)] (75) "Semitrailer" means any trailer type vehicle designed and used in conjunction with a motor vehicle so that some part of its own weight and load rests on or is carried by another vehicle;

[(77)] (76) "Serious traffic violation" means a conviction of any of the following offenses: (A) Speeding in excess of fifteen miles per hour or more over the posted speed limit, in violation of section 14-218a or 14-219; (B) reckless driving in violation of section 14-222; (C) following too closely in violation of section 14-240 or 14-240a; (D) improper or erratic lane changes, in violation of section 14-236; (E) driving a commercial motor vehicle without a valid commercial driver's license in violation of section 14-36a, as amended, or 14-44a; (F) failure to carry a commercial driver's license in violation of section 14-44a; (G) failure to have the proper class of license or endorsement, or violation of a license restriction in violation of section 14-44a; or (H) arising in connection with an accident related to the operation of a commercial motor vehicle and which resulted in a fatality;

[(78)] (77) "Service bus" includes any vehicle except a vanpool vehicle or a school bus designed and regularly used to carry ten or more passengers when used in private service for the transportation of persons without charge to the individual;



1004 [(79)] (78) "Service car" means any motor vehicle used by a  
1005 manufacturer, dealer or repairer for emergency motor vehicle repairs  
1006 on the highways of this state, for towing or for the transportation of  
1007 necessary persons, tools and materials to and from the scene of such  
1008 emergency repairs or towing;

1009 [(80)] (79) "Shoulder" means that portion of a highway immediately  
1010 adjacent and contiguous to the travel lanes or main traveled portion of  
1011 the roadway;

1012 [(81)] (80) "Solid tires" means tires of rubber, or other elastic material  
1013 approved by the Commissioner of Transportation, which do not  
1014 depend on confined air for the support of the load;

1015 [(82)] (81) "Spot lamp" or "spot light" means a lighting device  
1016 projecting a high intensity beam, the direction of which can be readily  
1017 controlled for special or emergency lighting as distinguished from  
1018 ordinary road illumination;

1019 [(83)] (82) "State" means any state of the United States and the  
1020 District of Columbia unless the context indicates a more specific  
1021 reference to the state of Connecticut;

1022 [(84)] (83) "Stop" means complete cessation of movement;

1023 [(85)] (84) "Tail lamp" means a lighting device affixed to the rear of a  
1024 motor vehicle showing a red light to the rear and indicating the  
1025 presence of the motor vehicle when viewed from behind;

1026 [(86)] (85) "Tank vehicle" means any commercial motor vehicle  
1027 designed to transport any liquid or gaseous material within a tank that  
1028 is either permanently or temporarily attached to the vehicle or its  
1029 chassis which shall include, but not be limited to, a cargo tank and  
1030 portable tank, as defined in 49 CFR 383.5, as amended, provided it  
1031 shall not include a portable tank with a rated capacity not to exceed  
1032 one thousand gallons;

1033 [(87)] (86) "Tractor" or "truck tractor" means a motor vehicle

1034 designed and used for drawing a semitrailer;

1035 [(88)] (87) "Tractor-trailer unit" means a combination of a tractor and  
1036 a trailer or a combination of a tractor and a semitrailer;

1037 [(89)] (88) "Trailer" means any rubber-tired vehicle without motive  
1038 power drawn or propelled by a motor vehicle;

1039 [(90)] (89) "Truck" means a motor vehicle designed, used or  
1040 maintained primarily for the transportation of property;

1041 [(91)] (90) "Ultimate consumer" means, with respect to a motor  
1042 vehicle, the first person, other than a dealer, who in good faith  
1043 purchases the motor vehicle for purposes other than resale;

1044 [(92)] (91) "United States" means the fifty states and the District of  
1045 Columbia;

1046 [(93)] (92) "Used motor vehicle" includes any motor vehicle which  
1047 has been previously separately registered by an ultimate consumer;

1048 [(94)] (93) "Utility trailer" means a trailer designed and used to  
1049 transport personal property, materials or equipment, whether or not  
1050 permanently affixed to the bed of the trailer, with a manufacturer's  
1051 GVWR of ten thousand pounds or less;

1052 [(95)] (94) "Vanpool vehicle" includes all motor vehicles, the primary  
1053 purpose of which is the daily transportation, on a prearranged  
1054 nonprofit basis, of individuals between home and work, and which:  
1055 (A) If owned by or leased to a person, or to an employee of the person,  
1056 or to an employee of a local, state or federal government unit or agency  
1057 located in Connecticut, are manufactured and equipped in such  
1058 manner as to provide a seating capacity of at least seven but not more  
1059 than fifteen individuals, or (B) if owned by or leased to a regional ride-  
1060 sharing organization in the state recognized by the Commissioner of  
1061 Transportation, are manufactured and equipped in such manner as to  
1062 provide a seating capacity of at least six but not more than nineteen  
1063 individuals;

1064 [(96)] (95) "Vehicle" includes any device suitable for the conveyance,  
1065 drawing or other transportation of persons or property, whether  
1066 operated on wheels, runners, a cushion of air or by any other means.  
1067 The term does not include devices propelled or drawn by human  
1068 power or devices used exclusively on tracks;

1069 [(97)] (96) "Vehicle identification number" or "VIN" means a series of  
1070 Arabic numbers and Roman letters that is assigned to each new motor  
1071 vehicle that is manufactured within or imported into the United States,  
1072 in accordance with the provisions of 49 CFR 565, unless another  
1073 sequence of numbers and letters has been assigned to a motor vehicle  
1074 by the commissioner, in accordance with the provisions of section 14-  
1075 149;

1076 [(98)] (97) "Wrecker" means a vehicle which is registered, designed,  
1077 equipped and used for the purposes of towing or transporting  
1078 wrecked or disabled motor vehicles for compensation or for related  
1079 purposes by a person, firm or corporation licensed in accordance with  
1080 the provisions of subpart (D) of part III of this chapter or a vehicle  
1081 contracted for the consensual towing or transporting of a motor vehicle  
1082 to or from a place of sale, purchase, salvage or repair;

1083 [(99)] (98) "Camp vehicle" means any motor vehicle that is regularly  
1084 used to transport persons under eighteen years of age in connection  
1085 with the activities of any youth camp, as defined in section 19a-420.

1086 Sec. 16. Subsection (e) of section 14-286 of the general statutes is  
1087 repealed and the following is substituted in lieu thereof (*Effective from*  
1088 *passage*):

1089 (e) As used in this section: (1) "Sidewalk" means any sidewalk laid  
1090 out as such by any town, city or borough, and any walk which is  
1091 reserved by custom for the use of pedestrians, or which has been  
1092 specially prepared for their use. "Sidewalk" does not include  
1093 crosswalks and does not include footpaths on portions of public  
1094 highways outside thickly settled parts of towns, cities and boroughs,  
1095 which are worn only by travel and are not improved by such towns,

1096 cities or boroughs or by abutters; (2) "bicycle" includes all vehicles  
1097 propelled by the person riding the same by foot or hand power or a  
1098 helper motor; and (3) ["helper motor" means a motor having a capacity  
1099 of less than fifty cubic centimeters piston displacement, rated not more  
1100 than two brake horsepower, capable of a maximum speed of no more  
1101 than thirty miles per hour and equipped with automatic transmission]  
1102 "bicycle with a helper motor" means a bicycle with a seat height of not  
1103 less than twenty-six inches that is powered by a motor having a  
1104 capacity of less than fifty cubic centimeters piston displacement, rated  
1105 not more than two brake horsepower, capable of a maximum speed of  
1106 no more than thirty miles per hour and equipped with automatic  
1107 transmission.

1108 Sec. 17. Section 14-289j of the 2006 supplement to the general  
1109 statutes is repealed and the following is substituted in lieu thereof  
1110 (*Effective from passage*):

1111 (a) For the purposes of this section, "mini-motorcycle" means a  
1112 vehicle, as defined in section 14-1, as amended by this act, that (1) has  
1113 not more than three wheels in contact with the ground, (2) [is  
1114 equipped with or is designed to have a seat on which the rider may  
1115 sit,] has a manufactured seat height of less than twenty-six inches  
1116 measured at the lowest point on top of the seat cushion without the  
1117 rider, and (3) is propelled by an engine having a piston displacement  
1118 of less than 50 c.c. [or less, (4) is capable of a speed in excess of twenty  
1119 miles per hour, and (5) is not eligible to be registered as a motor  
1120 vehicle under section 14-12.]

1121 (b) No person shall operate a mini-motorcycle or ride as a passenger  
1122 on a mini-motorcycle on any highway [.] or public sidewalk. [or public  
1123 property of this state.] No owner of a mini-motorcycle shall permit a  
1124 person to operate the owner's mini-motorcycle or to ride as a  
1125 passenger on the owner's mini-motorcycle on any highway [.] or  
1126 public sidewalk. [or public property of this state.]

1127 (c) Except on private property owned by the operator of a mini-  
1128 motorcycle, no person shall operate a mini-motorcycle or ride as a

1129 passenger on a mini-motorcycle on any private property in this state  
1130 unless such operator has in the operator's possession written  
1131 permission from the owner of the private property to operate such  
1132 mini-motorcycle and, as the case may be, to carry a passenger on such  
1133 property.

1134 (d) Except on private property owned by the owner of the mini-  
1135 motorcycle, no owner of a mini-motorcycle shall permit a person to  
1136 operate the owner's mini-motorcycle or to ride as a passenger on the  
1137 owner's mini-motorcycle on any private property in this state unless  
1138 such operator has in the operator's possession written permission from  
1139 the owner of the private property to operate such mini-motorcycle  
1140 and, as the case may be, to carry a passenger on such property.

1141 (e) Any police officer who issues a summons for the alleged  
1142 violation of subsection (b), (c) or (d) of this section shall cause the mini-  
1143 motorcycle that was being operated to be impounded for a period of  
1144 forty-eight hours after the issuance of such summons. The owner of  
1145 such mini-motorcycle may reclaim such mini-motorcycle after the  
1146 expiration of such forty-eight-hour period upon payment of all  
1147 transportation and storage costs.

1148 (f) No person may offer for sale, lease or rent a mini-motorcycle  
1149 unless such mini-motorcycle has a warning label that gives warning  
1150 information about the safe and legal use of a mini-motorcycle and  
1151 about the limitations on use and the possible consequences of use in  
1152 violation of such limitations, set forth in subsections (b) to (e),  
1153 inclusive, of this section. Such person, on sale, lease or rent of a mini-  
1154 motorcycle, shall give a written clear and conspicuous statement,  
1155 separate from the warning label, to the purchaser, lessee or renter of  
1156 such mini-motorcycle containing such warning information.  
1157 Advertisements for mini-motorcycles and oral communications of a  
1158 person offering for sale, lease or rent a mini-motorcycle shall not  
1159 contain information inconsistent with any information required in this  
1160 section. Until regulations required in subsection (g) of this section are  
1161 adopted, persons offering for sale, lease or rent of a mini-motorcycle

1162 shall display such warning information, advertise and make oral  
1163 communications in a manner consistent with the provisions of this  
1164 section. The provisions of this subsection do not apply to any person  
1165 selling fewer than five used mini-motorcycles in one calendar year,  
1166 provided any person claiming inapplicability of the provisions of this  
1167 subsection shall have the burden of proving such inapplicability.

1168 (g) On or before [January] October 1, 2006, the Department of Motor  
1169 Vehicles shall adopt regulations, in accordance with the provisions of  
1170 chapter 54, that set forth the warning information required in this  
1171 section and manner of display of such warning information, establish  
1172 reasonable transportation and storage fees and otherwise implement  
1173 the provisions of this section.

1174 (h) Nothing in this section shall prohibit a municipality from  
1175 adopting more restrictive limitations on the use and sale, lease or rent  
1176 of mini-motorcycles.

1177 (i) Violation of any provision of this section shall be an infraction.

1178 Sec. 18. Section 14-44e of the general statutes is repealed and the  
1179 following is substituted in lieu thereof (*Effective July 1, 2006*):

1180 (a) The commissioner shall not issue a commercial driver's license to  
1181 any person unless such person is a resident of this state and has passed  
1182 a knowledge and skills test for driving a commercial motor vehicle  
1183 which complies with the minimum federal standards established by 49  
1184 CFR 383, Subparts G and H, as amended, and has satisfied all other  
1185 requirements of this section and sections 14-44b, 14-44c and 14-44g, in  
1186 addition to other requirements for an operator's license imposed by the  
1187 general statutes and regulations of the commissioner.

1188 (b) The commissioner shall not issue a commercial driver's license to  
1189 any person who has a physical or psychobehavioral impairment that  
1190 affects such person's ability to operate a commercial motor vehicle  
1191 safely. In determining whether to issue a commercial driver's license in  
1192 any individual case, the commissioner shall apply the standards set

1193 forth in 49 CFR 391.41, as amended, unless it is established that the  
1194 person will operate such vehicle only in this state, in which case the  
1195 commissioner shall apply the standards set forth in this chapter and in  
1196 regulations adopted thereunder. Any person who is denied a  
1197 commercial driver's license, or whose license is suspended, revoked or  
1198 cancelled pursuant to this subsection shall be granted an opportunity  
1199 for a hearing in accordance with the provisions of chapter 54.

1200 (c) The commissioner may waive the skills test required under  
1201 subsection (a) of this section in the case of an applicant for a  
1202 commercial driver's license who meets the requirements of 49 CFR  
1203 383.77, as amended or, in the case of an applicant for a school bus  
1204 endorsement who meets the requirements of 49 CFR 383.123, as  
1205 amended.

1206 (d) A commercial driver's license shall not be issued to any person  
1207 subject to disqualification from driving a commercial motor vehicle or  
1208 subject to suspension, revocation or cancellation of operating  
1209 privileges in any state. Each applicant for an endorsement to drive a  
1210 vehicle transporting hazardous materials shall be subject to the  
1211 requirements of 49 USC 5103a, as administered by the United States  
1212 Transportation Security Administration. The commissioner may refuse  
1213 to issue a hazardous materials endorsement, or may suspend or revoke  
1214 any such endorsement, held by any person who is the subject of a  
1215 notification received from the Transportation Security Administration,  
1216 in accordance with the provisions of 49 CFR 1572.5, as amended.

1217 (e) An operator's license shall not be issued to any person who holds  
1218 an operator's license issued by any other state, unless such person first  
1219 surrenders such license or licenses to the commissioner. The  
1220 commissioner shall return every license surrendered hereunder to the  
1221 issuing state for cancellation.

1222 (f) The commissioner may refuse to issue a commercial driver's  
1223 license, or may issue a commercial driver's license subject to  
1224 compliance with such condition as the commissioner may prescribe, to  
1225 any person whose motor vehicle operator's license, privilege to operate

1226 a motor vehicle in this state or license endorsement is under  
1227 suspension.

1228 [(f)] (g) The commissioner may issue a commercial driver's  
1229 instruction permit to any person who holds a valid operator's license.  
1230 Said permit may not be issued for a period to exceed six months. Only  
1231 one renewal or reissuance may be granted within a two-year period.  
1232 The holder of a commercial driver's instruction permit, may, unless  
1233 otherwise disqualified, drive a commercial motor vehicle only when  
1234 accompanied by the holder of a commercial driver's license with  
1235 appropriate endorsements for the type of vehicle being driven who  
1236 occupies a seat beside the individual for the purpose of giving  
1237 instruction in driving the commercial motor vehicle.

1238 Sec. 19. Section 14-44k of the 2006 supplement to the general statutes  
1239 is repealed and the following is substituted in lieu thereof (*Effective*  
1240 *July 1, 2006*):

1241 (a) A driver who is disqualified or subject to an out-of-service order  
1242 shall not drive a commercial motor vehicle. An employer shall not  
1243 knowingly permit or require a driver who is disqualified to drive a  
1244 commercial motor vehicle.

1245 (b) In addition to any other penalties provided by law, and except as  
1246 provided in subsection (d) of this section, a person is disqualified from  
1247 operating a commercial motor vehicle for one year if convicted of one  
1248 violation of (1) operating any motor vehicle while under the influence  
1249 of intoxicating liquor or drugs or both under section 14-227a, as  
1250 amended, (2) operating a commercial motor vehicle while having a  
1251 blood alcohol concentration of four-hundredths of one per cent, or  
1252 more, (3) evasion of responsibility [, involving a commercial motor  
1253 vehicle,] under section 14-224, (4) using any motor vehicle in the  
1254 commission of any felony, as defined in section 14-1, as amended by  
1255 this act, (5) operating a commercial motor vehicle while the operator's  
1256 commercial driver's license is revoked, suspended or cancelled, or  
1257 while the operator is disqualified from operating a commercial motor  
1258 vehicle, or (6) causing a fatality through the negligent or reckless



1259 operation of a commercial motor vehicle, as evidenced by a conviction  
1260 of a violation of section 53a-56b, 53a-57, 53a-60d or 14-222a.

1261 (c) In addition to any other penalties provided by law, and except as  
1262 provided in subsection (d) of this section, a person is disqualified from  
1263 operating a commercial motor vehicle for one year if the commissioner  
1264 finds that such person has refused to submit to a test to determine such  
1265 person's blood alcohol concentration while operating any motor  
1266 vehicle, or has failed such a test when given, pursuant to the  
1267 provisions of section 14-227b, as amended, or pursuant to the  
1268 provisions of a law of any other state that is deemed by the  
1269 commissioner to be substantially similar to section 14-227b, as  
1270 amended. For the purpose of this subsection, a person shall be deemed  
1271 to have failed such a test if, when driving a commercial motor vehicle,  
1272 the ratio of alcohol in the blood of such person was four-hundredths of  
1273 one per cent or more of alcohol, by weight, or if, when driving any  
1274 other motor vehicle, the ratio of alcohol in the blood of such person  
1275 was eight-hundredths of one per cent or more of alcohol, by weight.

1276 (d) If a person commits any of the disqualifying offenses identified  
1277 in subsection (b) of this section or is the subject of a finding by the  
1278 commissioner under subsection (c) of this section while driving a  
1279 vehicle transporting hazardous materials, required to be placarded  
1280 under the Hazardous Materials Transportation Act, 49 USC 1801 to  
1281 1813, inclusive, as amended, such person shall be disqualified for a  
1282 period of three years.

1283 (e) In addition to any other penalties provided by law, a person is  
1284 disqualified from operating a commercial motor vehicle for (1) sixty  
1285 days if convicted of failure to stop at a railroad grade crossing, in  
1286 violation of section 14-249, as amended, or 14-250, as amended, while  
1287 operating a commercial motor vehicle, (2) one hundred twenty days if  
1288 convicted of a second violation of section 14-249, as amended, or 14-  
1289 250, as amended, while operating a commercial motor vehicle, and (3)  
1290 one year if convicted of a third or subsequent violation of section 14-  
1291 249, as amended, or 14-250, as amended, while operating a commercial

1292 motor vehicle, during any three-year period.

1293 (f) In addition to any other penalties provided by law, a person is  
1294 disqualified from operating a commercial motor vehicle for a period of  
1295 not less than sixty days if convicted of two serious traffic violations, as  
1296 defined in section 14-1, as amended by this act, or one hundred twenty  
1297 days if convicted of three serious traffic violations, committed while  
1298 operating any motor vehicle arising from separate incidents occurring  
1299 within a three-year period. The period of any disqualification for a  
1300 subsequent offense imposed under this subsection shall commence  
1301 immediately after the period of any other disqualification imposed on  
1302 such person.

1303 (g) Any person who uses any motor vehicle in the commission of a  
1304 felony involving the manufacture, distribution or dispensing of a  
1305 controlled substance shall be disqualified for life.

1306 (h) A person is disqualified for life if such person commits two or  
1307 more of the offenses specified in subsection (b) of this section, or if  
1308 such person is the subject of two or more findings by the commissioner  
1309 under subsection (c) of this section, or any combination of those  
1310 offenses or findings, arising from two or more separate incidents. A  
1311 person is disqualified for life if the commissioner takes suspension  
1312 actions against such person for two or more alcohol test refusals or test  
1313 failures, or any combination of such actions, arising from two or more  
1314 separate incidents. Any person disqualified for life, except a person  
1315 disqualified under subsection (g) of this section, who has both  
1316 voluntarily enrolled in and successfully completed an appropriate  
1317 rehabilitation program, as determined by the commissioner, may  
1318 apply for reinstatement of such person's commercial driver's license,  
1319 provided any such applicant shall not be eligible for reinstatement  
1320 until such time as such person has served a minimum disqualification  
1321 period of ten years. If a person whose commercial driver's license is  
1322 reinstated is subsequently convicted of another disqualifying offense,  
1323 such person shall be permanently disqualified for life and shall be  
1324 ineligible to reapply for a reduction of the lifetime disqualification.

1325 (i) (1) Except as provided in subdivision (2) of this subsection, any  
1326 person who violates an out-of-service order shall be disqualified from  
1327 operating a commercial motor vehicle: (A) For a period of not less than  
1328 ninety days or more than one year for a first violation; (B) for a period  
1329 of not less than one year or more than five years for a second violation  
1330 during any ten-year period, where such violations arose from separate  
1331 incidents; and (C) for a period of not less than three years or more than  
1332 five years for a third or subsequent violation during any ten-year  
1333 period, where such violations arose from separate incidents.

1334 (2) Any person who violates an out-of-service order while driving a  
1335 vehicle transporting hazardous materials, required to be placarded  
1336 under the Hazardous Materials Transportation Act, 49 USC 1801 to  
1337 1813, inclusive, or a commercial motor vehicle designed to transport  
1338 sixteen or more passengers, including the driver, shall be disqualified  
1339 from operating a commercial motor vehicle: (A) For a period of not less  
1340 than one hundred eighty days or more than two years for a first  
1341 violation, and (B) for a period of not less than three years or more than  
1342 five years for a second or subsequent violation during any ten-year  
1343 period, where such violations arose from separate incidents.

1344 (3) In addition to the penalties provided in subdivision (1) or (2) of  
1345 this subsection, any person who violates an out-of-service order shall  
1346 be subject to a civil penalty of not less than one thousand one hundred  
1347 dollars or more than two thousand seven hundred fifty dollars.

1348 (j) Any holder of a commercial driver's license whose driving is  
1349 determined by the Federal Motor Carrier Safety Administration to  
1350 constitute an imminent hazard, as defined in section 14-1, as amended  
1351 by this act, shall be disqualified from operating a commercial motor  
1352 vehicle. The period of disqualification may not exceed thirty days  
1353 unless the commissioner is satisfied that the Federal Motor Carrier  
1354 Safety Administration has complied with the procedures for review  
1355 and hearing set forth in 49 CFR 383.52.

1356 (k) After taking disqualification action, or suspending, revoking or  
1357 cancelling a commercial driver's license, the commissioner shall

1358 update the commissioner's records to reflect such action within ten  
1359 days. After taking disqualification action, or suspending, revoking or  
1360 cancelling the operating privileges of a commercial driver who is  
1361 licensed in another state, the commissioner shall notify the licensing  
1362 state of such action within ten days. Such notification shall identify the  
1363 violation that caused such disqualification, suspension, cancellation or  
1364 revocation. The period of any disqualification imposed under this  
1365 subsection shall be concurrent with the period of any other  
1366 disqualification or suspension imposed on such commercial driver.

1367 Sec. 20. Subsection (d) of section 14-163c of the general statutes is  
1368 repealed and the following is substituted in lieu thereof (*Effective July*  
1369 *1, 2006*):

1370 (d) Any state or municipal police officer or motor vehicle inspector  
1371 may (1) inspect any motor vehicle specified in subsection (a) of this  
1372 section in operation and examine its operator to determine compliance  
1373 with the provisions of 49 CFR 382 to 397, inclusive, as amended, (2)  
1374 enter upon the premises of any motor carrier, as defined in 49 CFR  
1375 390.5, as amended, for the purpose of inspecting records maintained  
1376 by such carrier, (3) conduct a safety rating procedure, in accordance  
1377 with the provisions of 49 CFR 385, as amended, for any motor carrier  
1378 that owns or operates any motor vehicle identified in subsection (a) of  
1379 this section and, subject to notice and opportunity for hearing in  
1380 accordance with the provisions of chapter 54, order any motor carrier  
1381 with an unsatisfactory safety rating to cease operations until such time  
1382 as it achieves a satisfactory rating, (4) declare a motor vehicle or its  
1383 operator out of service as provided in 49 CFR 395.13 and 396.9, as  
1384 amended, or (5) issue an infractions complaint under the provisions of  
1385 this section, provided such officer or inspector meets the standards  
1386 established by the commissioner, in consultation with the  
1387 Commissioner of Public Safety, in regulations adopted in accordance  
1388 with the provisions of chapter 54.

1389 Sec. 21. Subsection (f) of section 54-56g of the general statutes is  
1390 repealed and the following is substituted in lieu thereof (*Effective July*

1391 1, 2006):

1392 (f) The provisions of this section shall not be applicable in the case of  
1393 any person charged with a violation of section 14-227a, as amended,  
1394 while operating a commercial motor vehicle, as defined in section 14-1,  
1395 as amended by this act, or who is the holder of a commercial driver's  
1396 license, as defined in said section 14-1.

1397 Sec. 22. Subsection (c) of section 14-40a of the general statutes is  
1398 repealed and the following is substituted in lieu thereof (*Effective*  
1399 *October 1, 2006*):

1400 (c) Before granting a motorcycle endorsement to any applicant who  
1401 has not held such an endorsement at any time within the preceding  
1402 two years, the commissioner shall require the applicant to demonstrate  
1403 personally to the commissioner, a deputy or a motor vehicle inspector  
1404 or an agent of the commissioner, in such manner as the commissioner  
1405 directs, that the applicant is a proper person to operate a motorcycle,  
1406 has sufficient knowledge of the mechanism of a motorcycle to ensure  
1407 its safe operation by such applicant, and has satisfactory knowledge of  
1408 the law concerning motorcycles and other motor vehicles and the rules  
1409 of the road. [On and after January 1, 1990, an] An applicant under the  
1410 age of eighteen shall also [demonstrate] present evidence satisfactory  
1411 to the commissioner that such applicant has successfully completed a  
1412 novice motorcycle training course [offered] conducted by the  
1413 Department of Transportation or [approved by the Commissioner of  
1414 Motor Vehicles] by any firm or organization that conducts such a  
1415 course that uses the curriculum of the Motorcycle Safety Foundation or  
1416 other safety or educational organization that has developed a  
1417 curriculum approved by the commissioner. The commissioner may  
1418 waive the on-road skills portion of the examination for the  
1419 endorsement for any such applicant or an applicant who is eighteen  
1420 years of age or older who presents evidence of satisfactorily  
1421 completing a motorcycle training course. If an applicant has had a  
1422 license or held such an endorsement from a state where a similar  
1423 examination or course is required, the commissioner may waive part

1424 or all of any such requirement. When the commissioner is satisfied as  
1425 to the ability and competency of the applicant, the commissioner may  
1426 issue an endorsement to such applicant, either unlimited or containing  
1427 such limitations as the commissioner deems advisable. If an applicant  
1428 or motorcycle endorsement holder has any health problem which  
1429 might affect such person's ability to operate a motorcycle safely, the  
1430 commissioner may require the applicant or endorsement holder to  
1431 demonstrate personally that, notwithstanding the problem, such  
1432 person is a proper person to operate a motorcycle, and the  
1433 commissioner may further require a certificate of the applicant's  
1434 condition, signed by a medical authority designated by the  
1435 commissioner, which certificate shall, in all cases, be treated as  
1436 confidential by the commissioner. An endorsement, containing such  
1437 limitation as the commissioner deems advisable may be issued or  
1438 renewed in any case, but nothing in this section shall be construed to  
1439 prevent the commissioner from refusing an endorsement, either  
1440 limited or unlimited, to any person or suspending an endorsement of a  
1441 person whom the commissioner deems incapable of safely operating a  
1442 motorcycle.

1443 Sec. 23. Section 14-99h of the general statutes is repealed and the  
1444 following is substituted in lieu thereof (*Effective October 1, 2006*):

1445 (a) Each new car dealer or used car dealer, as defined in section 14-  
1446 51, or lessor licensed under the provisions of section 14-15 shall offer  
1447 the purchaser or lessee of a new or used motor vehicle, at the time of  
1448 sale or lease, the optional service of etching the complete identification  
1449 number of the vehicle on a lower corner of the windshield and on each  
1450 side or rear window in such vehicle. Each such dealer or lessor may  
1451 etch the complete identification number of a motor vehicle on any such  
1452 vehicle in its inventory prior to its sale or lease provided it specifies the  
1453 charge for such service separately on the order for the sale of the motor  
1454 vehicle as prescribed by the provisions of section 14-62.

1455 (b) If a new car dealer or used car dealer, as defined in section 14-51,  
1456 offers the purchaser of a new or used motor vehicle, at the time of sale,

1457 the optional service of marking vehicle components with the complete  
1458 vehicle identification number, the dealer shall specify the charge for  
1459 such service separately on the order for the sale of the motor vehicle as  
1460 prescribed by the provisions of section 14-62. The commissioner may  
1461 adopt regulations, in accordance with chapter 54, to implement the  
1462 provisions of this subsection. Such regulations may provide standards  
1463 for the marking of component parts in a secure manner, and for  
1464 telephone or on-line access to a secure database of vehicles including  
1465 motorcycles and parts that have been marked and registered in such  
1466 database. Such regulations may also provide for the marking of parts  
1467 used to replace parts that have been marked in accordance with the  
1468 provisions of this subsection, by repairers licensed in accordance with  
1469 section 14-52. Each new or used dealer that sells a motorcycle shall  
1470 offer to the purchaser to mark the complete vehicle identification  
1471 number on the component parts of said motorcycle. Such service shall  
1472 be subject to the regulations and standards adopted by the  
1473 commissioner in accordance with this subsection.

1474 (c) Each new car dealer, used car dealer or lessor shall charge  
1475 reasonable rates for etching services and parts marking services  
1476 rendered within the state pursuant to subsections (a) and (b) of this  
1477 section and shall file a schedule of such rates with the Commissioner of  
1478 Motor Vehicles not later than September first in each year. Each such  
1479 dealer or lessor may from time to time file an amended schedule of  
1480 such rates with the commissioner. No such dealer or lessor may charge  
1481 any rate for such etching services or parts marking services which is  
1482 greater than the rates contained in the most recent schedule filed with  
1483 the commissioner.

1484 (d) A motor vehicle dealer, licensed in accordance with section 14-52  
1485 and meeting qualifications established by the commissioner, may  
1486 verify a manufacturer's vehicle identification number to satisfy any  
1487 provision requiring such verification in this chapter, or chapter 246a or  
1488 247. Such verification shall be provided in a written affidavit signed by  
1489 such a motor vehicle dealer, or his designee, and submitted to the  
1490 commissioner. Such affidavit shall contain a statement that the

1491 manufacturer's vehicle identification number corresponds to such  
1492 number (1) on the manufacturer's or importer's certificate of origin, if  
1493 the motor vehicle is new, or (2) on a current certificate of title, for all  
1494 other vehicles. Such affidavit shall also contain a statement that the  
1495 vehicle identification number has not been mutilated, altered or  
1496 removed.

1497 (e) Any person violating the provisions of subsection (c) of this  
1498 section, shall be subject to the penalties of false statement, provided for  
1499 in sections 14-110 and 53a-157b.

1500 (f) The commissioner may adopt regulations, in accordance with  
1501 chapter 54, to implement the provisions of this section.

1502 Sec. 24. Section 14-111g of the general statutes is repealed and the  
1503 following is substituted in lieu thereof (*Effective October 1, 2006*):

1504 (a) For the purposes of this subsection, "moving violation" means  
1505 any violation of section 14-218a, 14-219, 14-222, 14-223, 14-230 to 14-  
1506 249, inclusive, as amended, 14-279, 14-289b, 14-299, 14-301, 14-302 or  
1507 14-303, and "suspension violation" means a violation of section 14-222a  
1508 or 14-224, subsection (a) of section 14-227a, as amended, or section 53a-  
1509 56b, 53a-57 or 53a-60d. The Commissioner of Motor Vehicles may  
1510 require any licensed motor vehicle operator who is twenty-four years  
1511 of age or less, who has been convicted of a moving violation or a  
1512 suspension violation, or both, committed on two or more occasions to  
1513 attend a motor vehicle operator's retraining program. The  
1514 commissioner may require any licensed motor vehicle operator over  
1515 twenty-four years of age, who has been convicted of a moving  
1516 violation or a suspension violation or a combination of said violations,  
1517 committed on three or more occasions to attend a motor vehicle  
1518 operator's retraining program. The retraining program shall (1) review  
1519 principles of motor vehicle operation, (2) develop alternative attitudes  
1520 for those attitudes contributing to aggressive driving behavior, and (3)  
1521 emphasize the need to practice safe driving behavior. The retraining  
1522 program shall be offered by the Department of Motor Vehicles or by  
1523 any other organization conducting such a program certified by the



1524 commissioner. The commissioner shall notify such operator, in  
 1525 writing, of such requirement. A fee of not more than [sixty] ninety-nine  
 1526 dollars shall be charged for the retraining program. The commissioner,  
 1527 after notice and opportunity for hearing, may suspend the motor  
 1528 vehicle operator's license of any such operator who fails to attend or  
 1529 successfully complete the program until the operator successfully  
 1530 completes the program. The hearing shall be limited to any claim of  
 1531 impossibility of the operator to attend the retraining program, or to a  
 1532 determination of mistake or misidentification.

1533 (b) The commissioner, after notification of and approval by the  
 1534 Secretary of the Office of Policy and Management, may deduct and  
 1535 retain from the fees collected in accordance with subsection (a) of this  
 1536 section, an amount not to exceed ten dollars per fee, for the cost of  
 1537 implementing the motor vehicle retraining program established in  
 1538 subsection (a) of this section.

1539 (c) The commissioner shall adopt regulations in accordance with  
 1540 chapter 54 to implement the provisions of subsections (a) and (b) of  
 1541 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4a-78
Sec. 2	<i>from passage</i>	14-36(d)
Sec. 3	<i>from passage</i>	14-36e(b)
Sec. 4	<i>from passage</i>	14-42
Sec. 5	<i>July 1, 2006</i>	14-65i(a)
Sec. 6	<i>from passage</i>	14-79
Sec. 7	<i>from passage</i>	10-298(c)
Sec. 8	<i>from passage</i>	14-46d
Sec. 9	<i>from passage</i>	14-36g(a)
Sec. 10	<i>October 1, 2006</i>	14-44
Sec. 11	<i>October 1, 2006</i>	14-276
Sec. 12	<i>from passage</i>	14-105
Sec. 13	<i>from passage</i>	14-29(a)
Sec. 14	<i>from passage</i>	14-253a
Sec. 15	<i>from passage</i>	14-1(a)

Sec. 16	<i>from passage</i>	14-286(e)
Sec. 17	<i>from passage</i>	14-289j
Sec. 18	<i>July 1, 2006</i>	14-44e
Sec. 19	<i>July 1, 2006</i>	14-44k
Sec. 20	<i>July 1, 2006</i>	14-163c(d)
Sec. 21	<i>July 1, 2006</i>	54-56g(f)
Sec. 22	<i>October 1, 2006</i>	14-40a(c)
Sec. 23	<i>October 1, 2006</i>	14-99h
Sec. 24	<i>October 1, 2006</i>	14-111g

**TRA**      *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

Agency Affected	Fund-Effect	FY 07 \$	FY 08 \$
Department of Motor Vehicles	TF - See Below	See Below	See Below
Board of Education & Services for the Blind	GF - None	None	None

Note: TF=Transportation Fund; GF=General Fund

#### **Municipal Impact:** None

#### **Explanation**

The Department of Motor Vehicles will be able to accommodate any additional administrative functions resulting from passage of this bill within its anticipated budgetary resources.

The bill's additional reporting requirement placed on the Board of Education and Services for the Blind will result in no fiscal impact.

The bill makes minor and clarifying changes to certain criminal statutes that would have a negligible fiscal impact.

#### **The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****sSB 328****AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.****SUMMARY:**

The bill makes numerous changes to the motor vehicle laws. It:

1. changes several definitions in the motor vehicle laws, largely to comply with federal requirements;
2. modifies requirements for disqualifying holders of commercial motor vehicles from driving them, also primarily to comply with federal requirements;
3. allows motor carriers who have unsatisfactory safety ratings to be ordered out of operation until they get a satisfactory rating;
4. allows the Department of Motor Vehicles (DMV) to report to certain authorized entities the names of anyone who holds a license with an endorsement to carry passengers that the license or endorsement has been withdrawn, suspended, or revoked;
5. replaces criminal penalties on commercial driving school licensee who violates the laws with license suspensions and civil penalties imposed by DMV;
6. makes changes to laws prohibiting the use of mini-motorcycles on highways, public sidewalks, and public property and corrects some ambiguities in current law;
7. prohibits anyone holding a commercial driver's license from invoking the pretrial alcohol education program for a drunk driving charge occurring in a vehicle that is not a commercial

- motor vehicle;
8. exempts 16- and 17-year olds assigned as drivers in "Safe Rides" programs from the nighttime driving hour restrictions that apply to teen drivers;
  9. allows the DMV commissioner to limit handicapped parking placards to one per applicant;
  10. allows registered wreckers to transport vehicles under additional circumstances than currently allowed;
  11. requires motor vehicle dealers who sell motorcycles to offer purchasers components parts marking as an optional service;
  12. requires the Board of Education and Services to the Blind to provide additional information to DMV about people diagnosed as blind and requires DMV to keep such information confidential;
  13. expands the venues for taking motorcycle rider training courses and allows the commissioner to waive the on-road skills test for motorcycle endorsement applicants who have successfully completed the training;
  14. allows refuse collection vehicles to make use of video backing monitors for longer periods than allowed for others;
  15. requires DMV to give applicants for non-driver photo identification cards the same opportunity to complete organ donation cards that license applicants get;
  16. makes a minor conforming change in the law on secondary school driver education program;
  17. conforms statutorily required language on signs that must be posted in motor vehicle repair shops to reflect a 2004 law change about inspection of replaced parts; and

18. eliminates the requirement that applicants for motor vehicle registrations provide their Social Security numbers to DMV.

In addition, the bill eliminates a vague reference in the law on learners' permits for 16- and 17-year olds by making it clear that the current alternative of holding a learner's permit for 120 days rather than 180 days before being eligible to apply for a license test applies only to learners who provide a certification of training through a secondary school driver education program or from a DMV-licensed commercial driving school and not from home training (§ 2). The bill also prohibits the commissioner from registering a student transportation vehicle, and prohibits anyone from operating one, until the commissioner receives satisfactory evidence that the vehicle has adequate insurance or bond coverage to meet the law's minimum liability requirements (§ 13). By law, a student transportation vehicle is any vehicle other than a registered school bus used by a carrier, i.e., school districts, their transportation contractors, and certain others, to transport students, including children requiring special education.

Finally, the bill increases the fee for anyone required to take the Connecticut driver retraining program from \$60 to \$99. By law, unchanged by the bill, the DMV is authorized to deduct \$10 from the current fee to implement the retraining program (§ 24). By law, anyone who is age 24 or younger and is convicted of two or more moving or suspension violations (defined in the law) may be required to take the retraining program. Anyone over age 24 may be required to take the course after committing three or more moving or suspension violations.

**EFFECTIVE DATE:** Upon passage, except the repair shop notice, commercial driver's license, motor carrier sanction, and pretrial alcohol education program provisions are effective on July 1, 2006, and the provisions on DMV reporting of drivers with suspended licenses or endorsements for carrying passengers, motorcycle safety education, motorcycle component parts marking, and the fee increase for the driver retraining program are effective on October 1, 2006.

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**§ 15 – MOTOR VEHICLE LAW DEFINITION CHANGES**

The bill redefines the terms “commercial motor vehicle,” “conviction,” and “gross vehicle weight rating” as used in the motor vehicle laws. These changes primarily reflect current definitions in federal regulations that the states must implement.

The bill changes the current farm vehicle exception from the commercial motor vehicle definition to adopt the definition of a vehicle used for farming purposes used in federal regulations. Under the federal regulations, a farm vehicle must be (1) controlled and operated by a farmer or his employees or family members; (2) used to transport agricultural products, farm machinery, or farm supplies to or from the farm; (3) used within 150 miles of the farmer’s farm; and (4) not used in operations of a common or contract carrier. The current Connecticut definition uses only the 150-mile criterion. The bill also revises the exception from the definition for emergency vehicles to link it directly to the definition used elsewhere in the motor vehicle laws establishing the rights of emergency vehicles.

The bill also adds to the commercial motor vehicle definition a vehicle transporting any quantity of a material listed as a select agent or toxin under federal regulations. These materials are primarily biological agents and are now included under federal regulations as hazardous materials.

Finally, the bill revises the definition to include vehicle combinations with a gross combination weight rating of 26,001 pound or more, inclusive of a towed unit or units with a gross vehicle weight rating of more than 10,000 pounds.

The bill changes the definition of “conviction” to include payments to the Centralized Infractions Bureau in accordance with the laws applicable to both residents and nonresidents. The current federal definition, which is used to determine the basis for disqualifying drivers who hold commercial drivers’ licenses from operating, includes a reference to “a plea of guilty or nolo contendere accepted by

the court” that the current Connecticut definition does not include. The language added by the bill has basically the same effect as the above reference.

Currently, “gross vehicle weight rating” is defined as the value specified by the manufacturer as the maximum loaded weight of a single or combination vehicle or its registered gross weight, whichever is greater. The bill eliminates reference to registered gross weight as an option. This reflects the current federal definition.

### **§§ 18 & 19 – REQUIREMENTS PERTAINING TO COMMERCIAL DRIVER’S LICENSES**

The bill authorizes the DMV commissioner to refuse to issue a commercial driver’s license (CDL), or issue it subject to conditions he sets, to anyone whose driver’s license, nonresident operating privilege, or license endorsement is under suspension. It also makes several changes to the requirements establishing grounds for a CDL holder to be disqualified from operating a commercial motor vehicle. It makes evading responsibility following an accident grounds for disqualification whether it occurs in the licensee’s commercial or personal vehicle. Currently, it only applies if the violation occurs in a commercial motor vehicle.

The bill makes violations of another state’s implied consent law grounds for disqualification if the commissioner finds that the other state’s law is substantially similar to Connecticut’s. Under these provisions, a license holder is deemed to have given his implied consent to a chemical test of his blood, breath, or urine under certain circumstances. If he refuses to take the test, or takes it and the results show a blood-alcohol level above legal amounts, he is subject to license sanctions. Currently, out-of-state violations of this type are not included in the disqualification law.

Currently, a CDL holder is subject to a disqualification of at least 60 days if convicted within a three-year period of two serious traffic violations (defined in the law), or 120 days if convicted of three such



violations arising from separate incidents. The bill requires the disqualification period for a subsequent offense to begin immediately after the period of any other disqualification imposed on the licensee. The bill appears to make other disqualifications the commissioner may impose concurrent with any other disqualifications or license suspensions imposed on the CDL holder.

## **§ 20 – MOTOR CARRIER ORDER TO CEASE OPERATIONS**

Certain motor carriers are subject to both state and federal safety regulations. Among these procedures is a process for assigning a safety rating to the carrier based on a number of factors including accident history and the number of previous safety violations. A carrier may receive a rating of “satisfactory,” “conditional,” or “unsatisfactory.” The DMV performs these safety ratings under its Motor Carrier Safety Assistance Program. The bill allows DMV to order any motor carrier with an unsatisfactory rating to cease operations until it achieves a satisfactory rating. The carrier must be given notice and an opportunity for a hearing prior to an order to cease operations.

## **§§ 10 & 11 – DMV REPORTING OF CERTAIN SUSPENDED DRIVERS’ LICENSES**

The bill authorizes the DMV commissioner to give any board of education or public or private organization that is actively engaged in providing public transportation, including transporting school children, a report that shows the people who have drivers’ licenses with endorsements for transporting passengers whose license or endorsement he has withdrawn, suspended, or revoked. The report must be updated periodically as determined by the commissioner. It may be transmitted or made available to authorized recipients through electronic means. Currently, the commissioner must furnish such a list on a bimonthly basis at the request of a school board or the board’s transportation contractor, but this only applies to those with a passenger and school endorsement.

## **§ 6 – SANCTIONS FOR VIOLATION OF REQUIREMENTS FOR COMMERCIAL DRIVING SCHOOLS**

Currently, any person or business violating any of the laws applicable to DMV-licensed commercial driving schools is subject to a criminal penalty of a fine of \$100 - \$250, imprisonment for 10 to 30 days, or both, for a first violation and a fine of \$250 - \$500, imprisonment for 30 days to three months, or both, for a subsequent violation. The bill replaces these criminal penalties with authority for the commissioner to (1) suspend or revoke the license or (2) impose a civil penalty of up to \$1,000 for each violation. He may impose these sanctions after providing an opportunity for a hearing.

## **§§ 15 – 17 – MINI-MOTORCYCLES AND MOTOR ASSISTED BICYCLES**

Currently, mini-motorcycles meeting certain criteria are prohibited from highways, public sidewalks, and public property. (Some of these types of vehicles are also commonly referred to as “pocket bikes.”) The bill redefines mini-motorcycles and bicycles with helper motors (“mopeds”) to eliminate an overlap between the two that created confusion between the two laws. The bill also eliminates the current prohibition against mini-motorcycles being operated on public property other than highways and sidewalks.

Currently, a mini-motorcycle is defined as a vehicle (1) with no more than three wheels in contact with the ground, (2) equipped or designed to have a seat on which the rider may sit, (3) propelled by an engine with a piston displacement of 50 cubic centimeters (c.c.) or less, (4) capable of a speed in excess of 20 miles per hour, and (5) not eligible for registration as a motor vehicle. The bill replaces the current seat criterion with one specifying that the vehicle must have a manufactured seat height of less than 26 inches measured at the lowest point on top of the seat cushion without the rider. It also (1) revises the engine displacement criterion from 50 c.c. or less to less than 50 c.c. and (2) eliminates the criterion specifying speed capability in excess of 20 miles per hour. Although it also eliminates the criterion that it not

be eligible for registration as a motor vehicle, the bill also excludes mini-motorcycles from the statutory definition of a motor vehicle so, in effect, the requirement does not change. The bill also eliminates the definition of a “minibike” or “minicycle” in the motor vehicle laws as, even though it is currently defined, the term does not appear in any of the motor vehicle laws except for the definition section.

The bill adds a minimum seat height criterion of not less than 26 inches to the definition of a bicycle with a helper motor which, in effect, separates it from classification as a mini-motorcycle. Other criteria in the definition remain unchanged.

The bill extends, from January 1, 2006 to October 1, 2006, the date by which DMV must adopt regulations setting out the criteria for warning information the law requires anyone who sells, rents, or leases mini-motorcycles to provide to customers and the transportation and storage fees that may be charged when mini-motorcycles are temporarily confiscated by law enforcement officers pursuant to the law.

#### **§ 21 – PRETRIAL ALCOHOL EDUCATION PROGRAM**

The bill makes CDL holders ineligible for the pretrial alcohol education program when charged with operating while under the influence of alcohol or drugs. Currently, only a CDL holder charged with such a violation while driving a commercial motor vehicle is ineligible. Under the bill, the CDL holder is also ineligible if his alleged offense took place in any other type of vehicle. By law, a person may apply for the pretrial alcohol education program if he meets certain conditions and, if over age 21, has not previously participated in the program in 10 years. If he successfully completes the program, which can include education, intervention, or treatment, he may return to court and, if satisfied, the court must dismiss the charge against him

#### **§ 9 – EXEMPTION FROM DRIVING HOUR RESTRICTIONS FOR SAFE RIDE PROGRAMS**

Currently, a 16- or 17-year old licensed driver may not drive from

midnight to 5:00 a.m. unless he is traveling (1) for employment, school, or religious activities; (2) for medical necessity; or (3) to respond to an emergency or pursuant to his duties as an active member of a volunteer fire company or department, volunteer ambulance service or company, or an emergency medical services organization. The bill adds an exemption for anyone who is an assigned driver in an accredited Safe Ride program. The bill does not specify who must accredit the Safe Ride program for it to qualify.

Safe Ride programs apparently take several forms. In some forms, drivers who feel they cannot or are afraid to drive can get a ride home. Most frequently, this is due to the person having had too much to drink to drive safely, but this is not always the case. The ride may come from a taxi or a tow from a tow truck at a reduced rate, but frequently it involves volunteers, usually two, who drive to the person's location. One volunteer typically drives the person's car and the other follows in the volunteer's car. These programs have expanded in recent years from college campuses to the high school level. Safe Ride programs do not necessarily have to be accredited, although the American Red Cross apparently does accredit some of them if they follow certain guidelines.

#### **§ 14 – HANDICAPPED PARKING WINDSHIELD PLACARDS**

Currently, anyone who qualifies under state law and regulations for use of designated parking spaces for the handicapped may apply to the commissioner for special licenses plates for a passenger vehicle, combination passenger and commercial vehicle, or motorcycle registered in his name; for removable windshield placards; or both plates and placards. Use of either the plates or the windshield placard allows the person to make use of the handicapped parking spaces and other parking privileges. The bill allows the commissioner to limit issuance of removable windshield placards to one per applicant.

#### **§ 15 – DEFINITION OF WRECKERS**

Under current law, a wrecker is defined as a vehicle registered, designed, equipped, and used to tow or transport wrecked or disabled

motor vehicles for compensation or for related purposes. The bill also allows a vehicle registered as a wrecker to tow or transport a vehicle for which it has been contracted on a consensual basis to move to or from a place of sale, purchase, salvage, or repair. Although it appears that vehicles used for this purpose also have to be registered, designed, and equipped as the law requires for the currently authorized purposes, the bill does not specify that clearly.

By law, only DMV-licensed motor vehicle dealers or repairers may operate wreckers.

### **§ 23 – COMPONENT PARTS MARKING FOR MOTORCYCLES**

The bill requires new and used motor vehicle dealers who sell motorcycles to offer a purchaser the service of marking the motorcycle's component parts with its complete vehicle identification number. By law, dealers may offer motor vehicle purchasers parts marking as an optional service. Although motorcycles are considered motor vehicles by definition, the law does not currently mention them explicitly with respect to these services. The bill requires motorcycle parts marking services to comply with the regulations and standards the commissioner has adopted for such services.

### **§§ 7 & 8 – BOARD OF EDUCATION AND SERVICES FOR THE BLIND**

Currently, the Board of Education and Services for the Blind must provide DMV with the name of everyone age 16 or older who, on or after October 1, 2005, has been diagnosed as blind by a physician or optometrist and update the list on a quarterly basis. The bill requires the board to provide each person's address and birth date as well. DMV must maintain the list it receives on a confidential basis in the same way it keeps other reports or records for drivers for whom it must make fitness determinations based on health-related matters.

### **§ 22 – MOTORCYCLE TRAINING REQUIREMENTS**

Currently, someone under age 18 applying for an endorsement to operate a motorcycle must successfully complete a novice motorcycle

training course offered by the Department of Transportation. It makes acceptable for meeting the training requirement any course conducted by a firm or organization that uses the curriculum of (1) the Motorcycle Safety Foundation or (2) another safety or educational organization whose curriculum the commissioner approves. The course currently administered by the Department of Transportation is based on the Motorcycle Safety Foundation curriculum with some modifications. The bill allows the DMV commissioner to waive the on-road skills portion of the endorsement examination for any applicant, including those age 18 or older, who presents evidence of satisfactorily completing a motorcycle training course.

## **§ 12 – VIDEO MONITORS FOR REFUSE COLLECTION VEHICLES**

By law, a television screen or similar device may not be installed or used in a motor vehicle where it may be seen by the driver except if it is a video display unit installed for instrumentation purposes or a closed video monitor for backing that operates for no more than 15 seconds after the vehicle's transmission has been shifted out of reverse. The bill creates an exception to the time limit for disabling a backing monitor for the driver of a commercial motor vehicle equipped with a garbage compactor, detachable container, or curbside recycling body. The driver of such a vehicle may use a backing monitor when engaged in collection activity on a public highway after the vehicle is shifted out of reverse for the time necessary for him to observe vehicles or pedestrians that may be behind the vehicle in a position that cannot be viewed through the vehicle's mirror system.

## **§ 4 – ORGAN DONATION OPTION FOR NON-DRIVER PHOTO IDENTIFICATION CARDS**

The bill conforms the law to current DMV practice by requiring that the application for a non-driver photo identification card DMV issues include the opportunity for the applicant to complete an organ donation card. Currently this is required for driver's license applications only. However, the bill does not require that a copy of a completed donor card be imprinted on the back of the identity card as

the law currently requires for drivers' licenses.

### **§ 3 – SECONDARY SCHOOL DRIVER EDUCATION PROGRAMS**

In 2005, the legislature increased from eight to 20 the number of hours of behind-the-wheel, on-the-road training a 16- or 17-year old must get before he is able to apply for a driver's license. The requirement was written in such a way that the learner can get the required training from more than one source. Learners can get training from commercial driving schools, driver education programs in secondary schools, or through certain designated relatives through home training. The bill conforms the law for driver education programs to reflect the requirement as it appears elsewhere in the law.

### **§ 5 – MOTOR VEHICLE REPAIR SHOP SIGNS**

The bill conforms the law specifying information that must be displayed on signs required in motor vehicle repair shops to reflect a 2004 change in the law regarding when customers must request that replaced parts be available for them to inspect. The 2004 change required customers to request this when they provide written or oral authorization for performance of the work rather than when the car is returned to them. The law stating what must be on the required signs was not changed at that time.

### **§ 1 – ELIMINATION OF REQUIREMENT FOR PROVIDING SOCIAL SECURITY NUMBER WHEN REGISTERING A MOTOR VEHICLE**

The bill eliminates a requirement that, as a matter of state policy, an applicant for a motor vehicle registration must provide a Social Security number or federal employer identification number, or both, if available. Another law requiring the DMV commissioner to obtain these numbers from registration applicants was repealed in 2003, but this provision was inadvertently left unchanged.

### **COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute

Yea    30    Nay   0    (03/13/2006)